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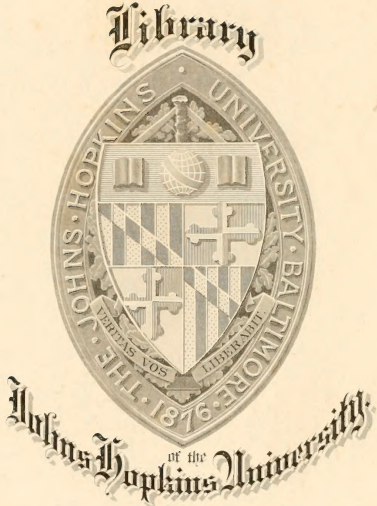
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The Subjects Treated by the Elder Seneca

Dissertation presented for the degree of Ph. D.
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by

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Part I

The writings of Geneca the Elder as well as those preserved under the names of the pseudo-Quintilian and Calpurnius Flaccus, introduce us to a peculiar and characteristic phase of mental and literary activity. This activity has neither the charm of youth nor the repose of maturity, but is rather that of degeneration and decay. Antique mental life is preserved in these writings as it verged on its second childhood and it will not be without interest to sketch briefly this phase of classical literature, to state its causes, and as far as may be to trace to their sources the examples of it which remain.

Part I

I Rhetoric in general.

1. Evolution of the late rhetoric

Of all the species of Roman literature none traces its origin to Greece more directly than rhetoric and it will not therefore be without [illegible] to consider briefly rhetoric as [illegible] the Greeks.

[illegible]

[illegible]

portance, infused into it an ethical element.(1) It attained its height in Demosthenes; Aristotle in his Rhetoric gave it a scientific basis. But very early there manifested itself in oratory a tendency to go astray, which provoked the censure of Isocrates [cf. Hal. 1 sq.; Bus. 9. 49], and the sharp attacks of Plato [cf. Phaed. 67 sq.]. Its decline was steady. After the downfall of Athenian freedom scarcely one great orator can be mentioned. Signs of decay or at least of a lack of productiveness are already shown in Dinarchus, who was an imitator.(2) The style also became lax and weak.(3) In subjugated Athens there was no longer a field for

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1 cf. Blass – Die griech. Bereds. p. 78 sq.; Gesch. der att. Bereds. Blass II [illegible]

2 cf. Dionysius Halicarnassus – De Dinarcho judicium c. 5 "... οὐ μὴν ἀλλὰ καὶ τοῦ Δημοσθενοῦ χαρακτῆρος, ὃν μάλιστα ἐμιμήσατο": Blass – Die griech. Bereds. p. 15; [illegible] – [illegible] Blass II. p. 461

3 cf. [illegible] – [illegible] II [illegible]

oratory which accordingly emigrated to the free and flourishing cities of Asia Minor. There it exhibited great [illegible] manner — the so-called Asian style.

a. Asian schools.

Hegesias of Magnesia at Mt Sipylos, who lived about 250 B.C.,[4] is regarded as the founder or at any rate the foremost representative of the Asian school.[5] Hegesias's diction was marked by a striving after metaphors and figures, an indulgence in surprising puns and puerile witticisms, and by a lack of dignity and sincere feeling. In his attempt

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4 cf. Blass — Die griech. Bereds. p. [illegible]; [illegible] — [illegible] griech. Litt. II p. 463 sqq.

5 cf. Strabo — XIV. 648 "ἄνδρες δ' ἐγένοντο γνώριμοι Μάγνητες Ἡγησίας τε ὁ ῥήτωρ, ὃς ἦρξε μάλιστα τοῦ Ἀσιανοῦ λεγομένου ζήλου διαφθείρας τὸ καθεστὼς ἔθος τὸ Ἀττικόν...."; Cicero — Brutus XIII. 51; Blass — Die griech. Bereds. pp. 5. 16. Blass following Dion. Hal. — De antiq. orat. pro. 1, dates the Asian school not [illegible] IX [illegible] nevertheless considers Phalereus [illegible]

to imitate the style, [illegible] of Lysias, in minced everything into short sentences, to which he added the [illegible] (6) that the Asian style is distinguished from the old Attic by its affectation, turgidity of verbal ornament, and inanity of thought. (7)

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6 Cf. Cicero – Orator LXVII. 226 "Dum ille quoque imitari Lysiam vult.... saltat incidens particulas. Et is quidem non minus sententiis peccat quam verbis, ut non quaerat quem aphellet ineptum qui illum cognovit...." ; ibid. LXIX. 230 "Sunt etiam qui illa [illegible] Lysiana minora sint et frangendis concidendisque numeris in quodclam genus abiectum incidant [illegible]" ; [illegible] verb. c. XVIII, who illustrates his style by quoting from his history; [illegible] p. 467.

7 For a more detailed description of the Asian style of Cicero – [illegible] Orator XCV. [illegible] [illegible] [illegible]

8. Causes of the decline of true oratory.

What Seneca says [cf. Praef. Contr. I. 7] in reference to Roman eloquence, is applicable to the Grecian also and to human achievement in general — "fato quodam cuncta maligna perpetuaque in rebus omnibus lex est, ut ad summum producta cursus ad infimum velocius quidem quam ascenderunt, relabantur." In the art of oratory there seems to lean inherent [illegible]. As particular causes of its decay in Greece its proper home, may [illegible] oratory can flourish only among a free, patriotic, high-minded people, not under a "fierce democracy which has sunk into the flaccidness of a cheerless and dishonored old age."(8) Then too, there was the change of the seat of artistic speech from Attica to Asia, exuberant and exaggerating in all things. To this must be added the absence of any lively political life; as liberty declined, deliberative discourse was deprived of its real object and the corruptness of the courts left little room for true forensic oratory. All orations became more or less

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8 [illegible] I. 22; [illegible] Praef. Contr. I. 38 sqq.

[illegible] speeches and the speaker could indulge only in rhetorical common-places; having no attainable object [illegible] led to employ all [illegible] [illegible] his art in ostentation [illegible] [illegible] development of rhetorical technique which of necessity hindered, if it did not wholly stifle, spontaneous, heart-[illegible] [illegible] similar brought about the decline of Roman oratory also.

2. Political and social conditions favoring the evolution of rhetoric at Rome.

a. Oratory among the Romans.

Next to Greece no country afforded a grander field for the growth and display of oratorical genius than Rome. If the [illegible] lacked the eloquence and grace of the Greek, especially the Athenian, this was counterbalanced by a dignity and gravity of speech which was supported by the senatorial system and which was never reached at Athens. "The Roman [illegible] unlike the Greek, did not instinctively conceive the public speaker as an artist. A [illegible]

strictly as a citizen, weighty by piety and years of office, who [illegible] whose dignity, hardly less than the value of his hearers' time, enjoins a pregnant and severe conciseness."(1) The practical, sturdy Roman of the earlier period took no interest in theories and technical treatises on oratory. Even the writing [illegible] (2) [illegible] century B.C. in consequence of the great oratorical activity of that period, all the works of which seem to be rhetorically colored. This development took place under the influence of Greece. Rhetoric was as it were the inheritance of the Greek [illegible] when her own independence was at an end, it [illegible] (3) [illegible]

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1 cf. [illegible] – The Attic Orators II p. [illegible]

2 cf. Seneca – Praef. Contr. I. 7 "Ille ergo vir (sc. Cato) quid ait?.... vir bonus dicendi peritus."

3 cf. Blass – [illegible] [illegible]

the Greek language was predominantly employed in rhetorical exercises.[4] There was at first a strong opposition at Rome to Greek rhetoric and rhetoricians, led by Cato and those likeminded with him;[5] but after the Gracchi, who [illegible] began to exercise a considerable influence on Roman oratory, and before 100 B.C. florid Asianism had its admirers at Rome.[6] It was in fact in its Asian form that Greek rhetoric became the teacher of the Romans,[7] but it was not until about 90 B.C. that L. Plotius Gallus and others established

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4 cf. Cicero – Brutus LXXXIX. 310 "Commentabar declamitans .... idque faciebam multum etiam Latine, sed Graece saepius, vel quod Graeca oratio plura ornamenta suppeditans consuetudinem similiter Latine dicendi adferebat, vel quod a Graecis [illegible], neque doceri"; Suetonius – De clar. rhet. I. "Cicero ad praeturam usque Graece [illegible] ...."

5 cf. Blass – [illegible] Blass

II p. 426; Marx – Chauvinismus und Schulreform. p. 12 Marx

6 cf. Blass – [illegible] II [illegible]

7 cf. Rohde – Der griech. Roman p. 288

a school [illegible] taught the principles of rhetoric in Latin[8] according to Blass [cf. Die griech. Beredsamkeit p. 120], L. Crassus, 140-91 B.C., and M. Antonius, 143-87 B.C., were the first Roman orators who were influenced by Hellenism. M. Antonius was [illegible] the first after [illegible] [cf. Quintilian - Instit. Orat. III. 1. 19] to write a rhetorical treatise in Latin.[9] The most important work on the subject is the treatise Ad Herennium, ascribed [illegible] and probably written some years previous to 80 B.C. It is of the same character as the Greek manual of Anaximenes,[10] only brought up to date and adapted to the

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8 cf. Quintilian - Instit. Orat. II. 4. 42 "Latinos vero dicendi praeceptores extremis L. Crassi temporibus coepisse Cicero auctor est; quorum insignis maxime Plotius fuit"; Seneca - Praef. Contr. II. 5; Suetonius - De clar. rhet. 2; Cicero - De oratore III. 24. 93; [illegible] - [illegible] p. 15; [illegible] - Hist. de l'éloq. rom. I p. 224

9 cf. Cicero - Brutus XLIV. 163; De oratore I. 21. 94. 208; Quintilian - Instit. Orat. III. 1. 19

10 It is also called Rhetoric ad Alexandrum and was [illegible] to Aristotle [illegible] [illegible] Anaximenes [illegible] [illegible] it originated as a connecting link between the [illegible] and Hermagorean methods, at the beginning or in the middle of the 3rd century B.C.

more practical requirements of Roman oratory.(11) Latin rhetoric 11
[illegible]
[illegible]
great and lasting force for the ruin of Latin literature.(12) 12
We witness at Rome a repitition of the process which took place in Greece, as the two currents of mental life and [illegible] each other. The different styles or rather manners of oratory arose in succession at Rome; the pure Asian is represented by Quintus Hortensius, the Atticizing or eclectic style which was developed in the Rhodian school, by M. Tullius Cicero,(12) and the pure Attic style upheld 13
[illegible] by Dionysius Halicarnassus, by M. Quinnius Calvus.(14) The history of the old Attic oratory [illegible] 14

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11 cf. [illegible] p. 162; Rh. Mus. XVIII [illegible]
12 cf. Marx — Chauvinismus und Schulreform pp. 17. 18 Marx
13 cf. Rohde — Der griech. Roman p. 287; [illegible] — Gesch. der griech. Litt. II p. [illegible]; [illegible] — Gesch. der Griech. I p. [illegible]; [illegible]
[illegible] — De Dem. jud. c. 7; Cicero — Orator VIII. 28; [illegible] XIII. 51 "Rhodii seniores et Atticorum similiores"; Quintilian — Instit. Orat. XII. 10. 18 "[illegible]"; [illegible] — Der griech. Bereds. pp. [illegible] [illegible] that the school of Rhodes did not deserve the credit accorded to it.
14 For a characterization of him cf. Seneca — Contr. VII. 4. 6 sq.

Asianism at Rome and in Greece and the other provinces as well, dates from about 60 B.C., but even from the middle of the second century a reaction had set in against this [illegible] and unnatural outgrowth. A struggle against it arose in Pergamum especially.(15) Hermagoras of Temnos also and his school about the middle of the second century B.C., subtle and scholastic as his system was, "Did good service by reviving the conception of oratory not as a knack but as an art, and so preparing [illegible] to discern the true artists and the false."(16) But the decisive battle against Asianism was fought and won at Rome especially through the agency of Apollodorus of Pergamum, 100 – 18 B.C., the teacher of Augustus.(17) The principal cause for the defeat of Asianism is probably the fact that its pompous and inane jingling could not satisfy the great and practical needs of Roman public life, and therefore the sturdy Roman orators abandoned their living Asianic teachers for the immortal masters of the old Attic eloquence.(18)

15 cf. Susemihl – Gesch. der griech. Litt. p. 482 sq.
16 cf. Jebb – The Attic Orators II p. 445; on Hermagoras's system cf. Thiele – Hermagoras p. 143 sq.
17 cf. Susemihl – Gesch. der griech. Litt. [illegible]
18 cf. [illegible] – Der griech. Roman p. [illegible]

Susemihl
Jebb
Thiele
[illegible]
[illegible]

b. Decay of oratory at Rome.

The victory of old Attic oratory over Asian rhetoric at Rome was of short duration. "Quidquid Romana facundia habet, quod insolenti Graeciae aut opponat aut praeferat, [illegible] ingenia quae lucem studiis nostris attulerunt tunc nata sunt. In deterius deinde cotidie data res est," complains Seneca.(1) [1] As has been stated already the causes of the speedy decadence of oratory at Rome are about the same as those which brought about its decline in Greece. "[illegible]," [illegible] Seneca, "[illegible] ingeniis quam luxuria est,-sive cum pretium pulcherrimae rei accidisset, translatum est omne certamen [illegible]"... The turning-point for the worse should be placed in the Augustan period with the overthrow of republican institutions, as in Athens the downfall of liberty drew in its train that of oratory also, for true eloquence is the child of liberty as on the other hand it nourishes and supports it. There no longer existed any material to kindle the

1 cf. Seneca - Praef. Contr. I. 6 sqq

[illegible] 2

the quiet of a cemetery,— now prevailed at Rome in place of the former fierce rivalries and contentions of parties and party-leaders. And soon despotism on the one hand and its [illegible] portions as to stifle all noble and high-spirited thought and action. Seneca complains bitterly over the literary auto-da-fé's which came into use in his time for the discipline of refractory minds.(3) In addition to this the 3
prosperity and wealth which came to the Roman empire [illegible]

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2 cf. Dialogus de oratoribus (ascribed to Tacitus) c. 36 "Magna eloquentia sicut flamma, materia alitur et motibus excitatur et urendo clarescit...."; c. 41 "Quid enim (sc. at the [illegible] consentiant? quid multis apud populum contionibus cum de [illegible] et multi deliberent, sed sapientissimus et unus....?"; c. 36-41 are all extremely interesting on this point.

3 [illegible] X. [illegible] nova et inusitata supplicium de studiis sumi"; [illegible]

a taste for superficial splendor and a striving after display.[4] A lively scientific and literary activity did indeed spring up;[5] circles were formed for the promotion of culture and literary taste; we need only recall Maecenas. This age in the mental history of Rome may be not inaptly likened to that of Louis the Fourteenth of France. But what this literary activity gained in breadth it lost in depth and earnestness of purpose; it aimed merely at the brilliant, the piquant, and the interesting; it was marked by flippancy and entire subordination of matter to form. This change in the spirit of Roman literature exhibited itself in the evolution of that diction which is designated as "Silver Latin." The vocabulary became changed; new words and phrases were invented and many of those hitherto in use were lost or rejected; the syntax was simplified, numerous short sentences replacing a less number of long ones; the use of abstract substantives became frequent; in the

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4 cf. Haimmer – Beitr. zu den 17 gross. quant. Decl. p. 3 Haimmer

5 cf. Bernhardy – Grundr. der röm. Litt. p. 75. Literary facts as well as explicit testimonies show that in preceding age possessed more susceptibility to fine sensitiveness, superfine form or a more cultivated taste.

periodic structure parataxis took the place of hypotaxis; natural expressions gave way to rhetorical figures; the lines separating prose and poetry became obliterated; objectivity was replaced by subjectivity and arbitrariness; sublimity and depth of diction were supplanted by an artificial elegance. Of all this the rhetors represented in the works of the Elder Seneca are the type and Quintilian in vain opposed it.(6) This great change in the tendency and aims of Roman literature manifested itself in the most marked degree in the art of eloquence. Naturally so; for this department of mental activity can thrive and reach its normal development only in a state of political freedom and this no longer existed. On the other hand speech making and speech learning were deeply rooted in the Roman nature. Hence when the Forum became dull, speech-making retired to the schoolroom to continue there a shadowy life. Rhetoric supplanted oratory, rhetoricians took the place of orators,

6 cf. Koerber – Ueber den Rhet. Nen. p. 24 sq.

and speaking was superseded by declaiming.[7] Yet another reason for the development of these schools of rhetoric may be found in the fact that already in Cicero's time and still more afterwards, [illegible] attained at Rome an importance before unheard of. It assumed an independent position and treated rhetoric as it had been treated by it, – with disregard. The orator [illegible] found himself under the control of the judge, [illegible] to fully realize [illegible]

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7 Even in the time of the elder Seneca when the rhetoricians and the rhetorical schools were in the height of their prosperity, the language still distinguished between dicere and declamare, as also between orator and rhetor or declamator. cf. Seneca – Praef. Contr. I. 12 "Ipsa declamatio apud [illegible] antiquum [illegible] ante Ciceronem et Calvum [illegible] potest, [illegible] declamationem a dictione distinguit; ait enim declamare iam se non mediocriter, dicere bene; alterum putat domesticae exercitationis esse, alterum verae dictionis...."; Contr. VII. 1. 20 "De colore inter maximos et oratores et declamatores disputatum est.... [illegible] et Albucius et praeter oratores magna novorum rhetorum [illegible]...."; Suas. VI. 11 "Itaque Cassius Severus aiebat alios declamare, Varium Geminum vivum consilium dedisse."

subordinate position and to confine his discourse closely to his subject.(8) Rhetoric thus driven from political life and repressed in the courts, came to be treated as an art or science independent of all others, [illegible], its value consisting in the formal training it gave the mind.

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8 cf. Spengel – Ueber das Studium p. 25; Tacitus – Dialogus c. 19 "Qui (sc. iudices) vi et potestate, non iure aut legibus cognoscunt, nec accipiunt tempora, sed constituunt, nec expectandum habent oratorem dum illi libeat de ipso negotio dicere, sed saepe ultro admonent atque alio transgredientem revocant et festinare se testantur"; Quintilian – Instit. Orat. IV. 1. 72 "... si sit praeparatus satis etiam sine hoc iudex"; IV. 5. 10 "Festinat enim iudex ad id, quod potentissimum est."

II The Roman rhetoricians.

1. Their position in the new fabric of the state.

[illegible] was the first to open a school for Latin rhetoric about 90 B.C. This does not of course imply that there had never previously been instruction and exercise at Rome in the art of speechmaking. Thus Lucius Praeconinus of Lanuvium, surnamed Stilo, although not a professional teacher, had gathered about him ten years before a select circle of young men for the purpose of reading old authors and probably also to give them some training in the theory and practice of speechmaking.(1) But before Blandus no native Roman of position had been a professional teacher of rhetoric, the profession indeed being looked upon as disgraceful and hence practiced only by libertini.(2) Plotius found many imitators and followers. In vain had the Censors

1 cf. Mommsen - Röm. Gesch. II. p. 425

2 cf. [illegible] - Prof. [illegible] II 5 "[illegible] Blandus [illegible] [illegible] [illegible] praeceptores [illegible] [illegible] et minime probabili more turpe erat docere quod honestum erat discere."

(3)

[illegible] they [illegible] a permanent institution of the [illegible] empire. In the imperial epoch rhetorical schools sprang up everywhere.(4) It was for the interest of the rulers to favor their establishment and development, inasmuch as they diverted the public mind from the great constitutional changes which had taken place and caused the loss of public discussion to be felt less keenly. The public too favored these schools because in them dying liberty [illegible] longer than in the forum and the senate, which were under the immediate control of the government.(5) These schools moreover met the demand of the times for a general and broad culture. As it had been formerly claimed by Isocrates that oratory should be regarded as uniting in itself all the elements of culture(6) and that from the name of philosophy

3 cf. Cicero – De oratore III. 24. 93; Gellius – Noct. Att. XV. 11; Tacitus – Dial. c. 35; Suetonius – De clar. rhet. c. 1; Cucheval – Cucheval Hist. de l'éloq. rom. I p. 224 sq.

4 cf. Hulsebos – De educ. et inst. apud Rom. p. 109 Hulsebos

5 cf. [illegible] – De rhet. lat. p. 16

6 cf. Isocrates – Παναθ. [illegible]

should be bestowed upon it,[7] so [illegible] training in the art of rhetoric was considered as the foundation of a liberal education and the fitting preparation for the higher walks of life.[8] The study of rhetoric thus held nearly the same place as was occupied later by the "humaniora." Even an ethical force was ascribed to it.[9] Seneca relates

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7 cf. Isocrates – κατὰ τῶν σοφ. 1. 11; Βουσ. 1. 15; περὶ ἀντιδ. 270 sq. [illegible]; Ἑλέν. [illegible]; Blass – Griech. der att. Beredsk. II [illegible] sq. Blass

8 Seneca thus addresses his son Mela (cf. Praef. Contr. II. 3) "Eloquentiae tantum studeas; facilis ab hac in omnes artes discursus est; instruit etiam quos non sibi exercet."; Theo- [illegible] II. 70) "ἡ τῶν γυμνασμάτων ἄσκησις οὐ μόνον τοῖς μέλλουσι ῥητορεύειν, ἀλλὰ καὶ εἴ τις ἢ ποιητῶν ἢ λογοποιῶν ἢ ἀλλῶν τινῶν λόγων δύναμιν ἐθέλει μεταχειρίζεσθαι. ἔστι γὰρ ταῦτα οἱονεὶ θεμέλια πάσης τῆς τῶν λόγων ἰδέας...."

9 cf. Theo- ibid. 60" καὶ μὴν ἡ διὰ χρείας γυμνασία οὐ μόνον τινὰ δύναμιν λόγων ἐργάζεται, ἀλλὰ καὶ χρηστόν τι ἦθος ἐγγυμναζομένων ἡμῶν τοῖς τῶν σοφῶν ἀποφθεγμασιν."; Aristides – Or. 45. 72 ed. Dindorf "τεττάρων ὄντων μορίων τῆς ἀρετῆς (sc. φρονήσεως, σωφροσύνης, δικαιοσύνης, ἀνδρείας) ἅπαντα διὰ τῆς ἀγωγῆς πεποίηται, καὶ ὅπερ [illegible] γυμναστικὴ καὶ ἰατρικὴ, τοῦτ' ἐν τῇ φυκῇ καὶ τοῖς τῶν πόλεων πράγμασι ἀθίνεται"; Rohde – Der griech. Roman p. 297 footnote 1.

[cf. Contr. II. 4. 12] that Augustus was present together with Agrippa at a declamation of Latro and [cf. Contr. X. 14] that the rhetor Gnaius Pilo was also honored by Augustus.[10] Later, chairs of rhetoric were established and endowed by the State.[11] Vespasian was the first to do this.[12] Hadrian, noted for his Philhellenism, established at Rome the Athenaeum which was henceforth supported by the emperors and which possessed a chair of rhetoric.[13] The emperors themselves entrusted their children to the rhetorical schools for education.[14] Marcus Aurelius attended the lectures of Hermogenes even after he became emperor.[15] It may be fairly assumed that most of the

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10 cf. Suetonius – De clar. rhet. c. 87 "Recitantes et benigne et patienter (sc. Augustus) audiit nec tantum carmina et historias sed et orationes et dialogos."

11 cf. Haimmer – Beitr. zu dem 17 gross. quint. Decl. pp. 5. 2[illegible] sq. Haimmer

12 cf. Suetonius – Vesp. c. 18 "Primus e fisco Latinis Graecisque rhetoribus annua centena constituit."; Hulsebos – De educ. et Hulsebos inst. apud Rom. p. 101 sqq.

13 cf. Friedländer – Darst. der Sitt. Roms III p. 374; Rohde – Der griech. Roman p. 291 Friedländer Rohde

14 cf. Rohde – l.c.; Haimmer – Beitr. zu dem 17 gross. quint. Decl. p. 29 Rohde Haimmer

15 cf. Dio Cassius – LXXI. 1. 2

[illegible] cities of Italy had their teachers of rhetoric.[16] 16

From the middle of the first century A. D. the African schools also assumed importance;[17] so much so that by the time of Juvenal the best advice which that writer could give to a rhetor desirous of making his fortune was that he should go to Africa.[18] Thence in the time of Hadrian came Fronto of Cirta,[19] who had so long and so triumphant a career at Rome as pleader and rhetor: "Orator, consul, teacher of two emperors," as an inscription declares.[20]

2. Their method of instruction.

The preparation of the pupil for the rhetorical school was the task of the grammarian, whose duty it was to drill him in the forms and syntax and to initiate him to a certain extent into the national literature.

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16 cf. Friedländer - Sittenb. der Litt. Roms III p. 374; Schulz - Der griech. Roman p. 201 for the prominence of the schools of Paul

17 cf. Huisinger - Vestr. Juden 17 gross quant. Sect. p. 27 sq.; Morawski - De Rhet. Lat. p. 1

17 cf. Monceaux - Les Africains p. 58 sq.

18 cf. Juvenal - Sat. VII. 147-9

19 cf. Monceaux - Les Africains p. 211 sq.; Monceaux - Lat. Lit. p. 243

20 cf. Orelli - Inscr. Lat. 1176

Friedländer Schulz

Huisinger Morawski

Monceaux

Monceaux Tissot Orelli

[illegible] this important but humble task and transferred on the field of the rhetorician.[1] As a consequence the pupil came from the grammarian to the rhetorician poorly trained in the elements of language and literature. In the rhetorical school itself the training was a gradual progression from easy exercises to those more difficult.[2] It began with the composition of narratives and essays on given themes and subjects from mythology epidiectic speeches and commonplaces, as on vice, virtue folly &c, monologues of historical or mythical persons reciting the reasons for and against an important decision (suasoriae). As the last and most difficult stage of the exercises, use was made of fictitious judicial cases in which the pupils took the parts of plaintiff, defendant, or advocate (controversiae). Obviously also the delivery and the training of the memory were not neglected. But as

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1 cf. Quintilian – Instit. Orat. II. 1. 1 sqq "Rhetores utique nostri suas partes uniserunt at grammatici alienas occupaverunt."
2 cf. Quintilian – l. c. 1. 7

[illegible] about the [illegible] [illegible] about the rhetors that they considered [illegible] their dignity to trouble themselves much about the elementary exercises of their art and were too fond of [illegible] their [illegible] into the more advanced stage of declamations.(3) As regards their manner of imparting instruction in the rhetorical art, some masters did all the talking themselves, i.e. they declaimed and the students merely listened; others began with a recitation which was followed by a discussion between teacher and students; while still others allowed the [illegible] to declaim.(4)

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3 cf. Quintilian - l.c. 1.2 "Nam et illi declamare modo et scientiam declamandi ac facultatem tradere officii sui ducunt."

4 cf. Seneca - Contr. IX. 2. 27 "Neque enim illi (sc Latroni) mos erat quemquam audire declamantem; declamabat ipse tantum et aiebat se non esse magistrum, sed exemplum; nec ulli alii contigisse scio quam apud Graecos. Niceti, apud Romanos Latroni, ut discipuli non audiri desiderarent, sed contenti essent audire" Koerber - Ueber den Rhet. Sen. p. 10 sq.; Kurlar - Friedländer - Darst. der Sitt. Roms III. pp. 388-90; [illegible] - Röm. Gesch. II p. 427; [illegible] - Beitr. zu den 19 gross. quint. [illegible]; [illegible] - Rohde - Der griech. Roman p. 275 sq.

The Declamations (controversial and suasorial) of the rhetoricians of the imperial period have become proverbial for speech marked by affectation, insincerity, hollow pathos, fanciful ness, inanity of thought and similar characteristics. They did not make their appearance endowed with these qualities all at once. They have quite a long history, and that history confirms the statement previously made that it seems to be inherent in the nature of artistic speech to go astray again and again from the path of naturalness and truthfulness.

The introduction of recitations on fictitious themes as an exercise in oratory, is ascribed either to Demetrius Phalereus,(5) or to Aeschines while living in exile at

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5 cf. Quintilian - Instit. Orat. II 4 41 "Nam fictus ad imitationem fori consiliorumque materias apud Graecos dicere circa Demetrium Phalereum institutum fere constat. An ab ipso id genus exercitationis sit inventum, ut alioquoque libro sum confessus, parum compari: sed ne hi quidem qui hoc fortissime affirmant, ullo satis idoneo auctore nituntur."

Rhodes.[6] But it may be truthfully said that ever since eloquence was treated as an art, some kind of exercises has been practised in connection with it. Protagoras caused his pupils to learn by heart examples of such eloquence as was most frequently used. Aristotle, in Cicero's Brutus, mentions these commonplaces as having been composed in writing.[7] 7

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6 Philostratus who flourished in the first half of the third century A.D. in his Vitae Sophistarum I l. 18 ed. Kayser, makes Aeschines the founder of a Second Sophistic which invented the standard characters of the declamations, - the rich, the poor, the brave, the tyrant &c. (sc. ἡ δευτέρα σοφιστικὴ) "τοὺς πένητας ὑπετυπώσατο καὶ τοὺς πλουσίους καὶ τοὺς ἀριστοὺς καὶ τοὺς τυράννους καὶ τὰς εἰς ὄνομα ὑποθέσεις, ἐφ' ἃς ἡ ἱστορία ἄγει ἦρξε δὲ τῆς μὲν ἀρχαιοτέρας Γοργίας ὁ Λεοντῖνος ἐν Θετταλοῖς, τῆς δὲ δευτέρας Αἰσχίνης ὁ Ἀτρομήτου, τῶν μὲν Ἀθήνησι πολιτικῶν ἐκπεσὼν, Καρίᾳ δὲ ἐνομιλήσας καὶ Ῥόδῳ καὶ μετεχειρίζοντο τὰς ὑποθέσεις οἱ μὲν ἀπὸ Αἰσχίνου κατὰ τέχνην οἱ δὲ ἀπὸ Γοργίου κατὰ τὸ δόξαν."; Quintilian - Instit Orat XII 10 19 "Aeschines enim qui hunc (sc. Rhodum) exilio delegerat locum intulit eo studia Athenarum...."

7 cf. Cicero - Brutus XII. 46 "scriptusque fuisse et paratas a Protagora rerum illustrium disputationes quae nunc communes appellantur loci."

In a similar manner Gorgias taught his pupils by models, especially such as either exalted or depreciated things.(8) 8
In fact all orators in all times have been obliged to train themselves for appearance in public by some sort of exercise in declaiming, only they have made a practice of declaiming on the same themes on which they were afterward to speak or write, while the μελέται which arose at the end of the fourth century B.C. were on fictitious subjects with characters which became stereotyped. The Peripatetic and Academic schools had exercises in θέσεις and loci communes of different kinds.(9) The μελέται were specially favored and 9

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8 cf. Cicero - ibid. 47 "Quod idem fecisse Gorgiam, cum singularum rerum laudes vituperationesque conscripsisset; quod iudicaret hoc oratoris esse maxime proprium, rem augere posse laudando vituperandoque rursus adfligere."; Aristotle - Sophist. Elench. c. 34. 6. 36; Quintilian - Instit. Orat. III 1. 12 sq.; Blass - Gesch. der att. Bereds. I. p. 54 Blass

9 cf. Quintilian - Instit. Orat. XII. 2. 25 "Academiam quidem utilissimam credunt, quod mos in utramque partem disserendi ad exercitationem forensium causarum proxime accedat.... Peripatetici studio quoque se quodam oratorio iactant. Nam theses dicere exercitationis gratia fere est ab iis institutum; Cicero - Orator XIV. 46 "Quae autem quaestio a propriis personis et temporibus ad universi generis orationem traducta appellatur θέσις. In hac Aristoteles adolescentes [illegible] philosophorum [illegible] disserendi, sed ad copiam [illegible] in utramque partem, ut ornatius et uberius dici possit, exercuit."

[illegible] all theoretical preparation and all method and system in the exercise of the art of oratory, caring only to acquire and practise it as a knack[10]; so that the immediate origin of the declamations in the imperial period is to be found among the Asiatics.[11] We have an interesting notice in Seneca [cf. Praef. Contr. I. 12] "Declamabat autem Cicero non quales nunc controversias dicimus, ne tales quidem quales ante Ciceronem dicebantur, quas thesis vocabant. Hoc enim genus materiae quo nos exercemur, adeo novum est, ut nomen quoque eius novum sit. Controversias nos dicimus: Cicero causas vocabat. Hoc vero alterum nomen Graecum quidem sed in Latinum translatum, ut pro Latino sit scholastica, controversia multo recentius est, sicut ipsa 'declamatio' apud nullum antiquum auctorem ante Ciceronem et Calvum inveniri potest qui declamationem a dictione distinguit; ait enim declamare iam se non mediocriter, dicere bene; alterum putat domesticae exercitationis esse, alterum

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10 cf. Blass – Die griech. Bereds. p 55 sqq. Blass

11 cf. Blass – l.c. p 60; Jebb – The Attic Orators II p. 447 Blass Jebb

verae actionis. Iudo nomen hoc prodiit; nam et studium ipsum nuper celebrari coepit." This passage will be referred to more fully later but here the following conclusions may be drawn from it: before Cicero's time not only pupils in the schools declaimed but also public orators, at their homes however, as an exercise and preparation for their appearance in public; at the time of Cicero and Calvus "declamare" became a special term for a kind of recitation distinguished from the delivery of a speech, "dictio, dicere"; while the "controversia" the equivalent of the Greek "θέσις", formed the latest phase of declaiming. (12) 12

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12 cf. Bonnell - De mut. sub prim. Caes. elog. p. 16 sqq. Bonnell remarks that the word "declamare" does not occur before Cicero. Its simple and original meaning was "clamando vel vehementer dicendo aliquid prodere." cf. Cicero - Verr. IV. 66 "Ille autem insanus, qui pro isto vehementissime contra me declamasset." Even after the word had been adopted to express exercise in oratory, "declamatio" in Cicero's time was used for the action of declaiming, "declamando actio" and only later came to signify a work "opus", as opposed to an oration delivered in court.

We may add that the writing of compositions was recommended as a most effective means of obtaining a good style,[13] and also the paraphrasing of both prose and poetry,[14] as well as translation from Greek into Latin.[15] 13 14

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13 cf. Cicero - De oratore I. 33. 150 "Caput autem est .... quam plurimum scribere."

14 cf. Cicero - ibid. 154 "Aut versibus propositis quam maxime gravibus aut oratione aliqua lecta ad eum finem, quam memoria possem comprehendere; eam rem ipsam, quam legissem, verbis aliis quam maxime possem lectis pronuntiarem."

15 cf. Cicero - ibid. 155 "Postea mihi placuit, eoque sum usus adhibens ut summorum oratorum Graecas orationes explicarem. Quibus lectis hoc adsequebar ut non ea quae legerem Graece, Latine redderem, non solum optimis verbis uterer et tamen usitatis, sed etiam exprimerem quaedam verba imitando, quae nova nostris essent, dum modo essent idonea."; Quintilian - Instit. Orat. X. 5. 2 sq. "Vertere Graeca in Latinum veteres nostri oratores optimum iudicabant."

a. Various [illegible] of declamations in the imperial period.

As the methods of teaching varied so also did the exercises employed.(1) The passage quoted from Hermon [cf. Praef. Contr. I.12] gives the key to their division. He says, "Declamabat autem Cicero non quales nunc controversias dicimus, ne tales quidem quales ante Ciceronem dicebantur quas thesis vocabant.... Controversias nos dicimus: Cicero causas vocabat." It would thus seem that we should distinguish three periods of the declamation. 1° In the time previous to Cicero there were declamations on θέσεις. The term was introduced into rhetoric by Hermagoras who divided the entire material of the speaker into θέσεις and ὑπόθεσεις, which Cicero renders by "quaestio" and "causa" respectively. The difference between them is that the θέσις is the discussion of a case in a general, indefinite manner, without attaching it to definite persons and circumstances, while the ὑπόθεσις on the other hand has them, so that it becomes more special, individual,

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1 cf. Quintilian. De clar. rhet. c. 1 "Ratio dicendi nec [illegible] omnibus."

[illegible] (2) [illegible] 2

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2 cf. Cicero - De inventione I. 6. 8 "Nam Hermagoras quidem [illegible] qui oratoris [illegible] et in quaestionem [illegible] Causam esse dicit rem, quae habebat in se controversiam in dicendo positam cum personarum certarum interpositione; quam nos quoque oratori dicimus attributam .... Quaestionem autem appellat, quae habeat in se controversiam in dicendo positam sine certarum personarum interpositione ad hunc modum: ecquid sit bonum praeter honestatem? verine sint sensus? quae sit mundi forma? quae sit solis magnitudo?; Thiele - Hermagoras p. 10 sq., Thiele says that Hermagoras - Thiele understood by θέσις any ζήτημα (= πρόβλημα) of a general nature "He recommended to the orator to speak not only on definite judicial cases or on definite questions of internal or external politics, but also on themes which were not of a practical nature and on abstract questions, so that one might be a ῥήτωρ and a σοφιστής at once. By this rhetoric [illegible] to acknowledge a desire to make itself mistress of the highest and most important problems [illegible]

and everything and to the same category of themes of

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had put forward" Hence the criticism of Cicero of De oratore I. 31. 138; II. 10. 41 sqq; 19. 78; 31. 133; III. 28. 109; Orator XIV. 46 previously quoted; Quintilian - Instit. Orat. III 5 5 sq. "Item convenit quaestiones esse aut infinitas aut finitas. Infinitae sunt quae remotis personis et temporibus et locis ceterisque similibus in utramque partem tractantur, quod Graeci θέσιν dicunt, Cicero propositum, ... alii quaestiones philosophos convenientes .... Finitae autem sunt ex complexu rerum, personarum, temporum, ceterorumque; quae ὑπόθεσεις a Graecis dicuntur, causae a nostris. In his omnis quaestio videtur circa res personasque consistere" The rendering "propositum" for "θέσις" is used by Cicero in Topica 21. 79; De part. orat. I. 4 "consultatio"; 18 61 "propositum" again; both combined in De orat. III. 28. 109 "quasi proposita consultatio." Of the definitions of the Greek rhetoricians that of Theo in his προγυμνάσματα (cf. ed. Spengel Rhet. Graec II p. 120) seems to contain essentially the words of Hermagoras himself (cf. Thiele Hermagoras p. 28) "θέσις ἐστὶν ἐπίσκηψις λογικὴ ἀμφισβήτησεν ἐνδεχομένη ἄνευ προσώπων ὡρισμένων καὶ πάσης περιστάσεως."

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a general and indefinite nature [illegible] the loci communes,[3] which were much in favor at Rome in the early period on account of their simplicity.[4] 4

2nd About the time of Cicero arose the ὑπόθεσεις (causae i.e. as stated in Note 2, exercises on specialized cases, with the introduction of definite persons and circumstances; they were formed from real life, either in its daily routine in the courts or taken from history which included

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as an illustration he gives (cf. Sheale p. 81) "οἷον θέσις μέν, εἰ προσήκει πολιορκουμένοις στράτευμα πέμπειν εἰς τὴν ὑπερορίαν, ὑπόθεσις δὲ εἰ Ἀθηναίοις προσήκει πολιορκουμένοις ὑπὸ Πελοποννησίων εἰς Σικελίαν στράτευμα πέμπειν." cf. Alexander (ed. Spengel-Rhet. Graec. III p. 1); Hermogenes-προγ. (ed. Spengel-Rhet. Graec. II p. 17) For the distinction between "quaestiones cognitionis" (theoretical) and "quaestiones actionis" (practical) cf. Cicero - De orat. III 27. 111 sqq.; Topica 21. 81; Fiderit's Introduction to Cicero - De orat. II. 2.

3 cf. Quintilian - Institut Orat. II. 4. 22 sqq.; 27-40; Cicero - De orat. III. 28. 109

4 cf. Blass - Die griech. Beredt. p. 110

also mythology.[5] The causae also included such exercises[5] as were known later by the name of suasoria for which history and mythology afforded ample material.[6]

3rd In the imperial period, although they may not have been entirely unknown before Augustus,[7] there came into vogue declamations on entirely fictitious themes taken from the realm of the imagination: of these we have specimens in the controversiae of Seneca and the declamationes which bear the name of Quintilian.[8]

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5 cf. Cicero - De orat. I. 33. 149 "Equidem probo ista, inquit Crassus, quae vos facere soletis, ut causa aliqua posita consimili causarum earum quae in forum deferuntur, dicatis quam maxime ad veritatem accommodate;" Suetonius - De clar. rhet. c. 1; Cicero - De inventione I. 47. 92; Friedländer - Darst. der Sitt. Roms III p. 388 Friedländer

6 cf. Blass - Die griech. Bereds. p. 111 Blass

7 cf. Blass - l.c. p. 108 Blass

8 cf. Bonnell - De mut. sub. prom. Caes. elog. p. 17. Bonnell [illegible] that the word "suasoria" does not occur at all in Cicero, while "controversia" occurs only with the meaning of dispute or quarrel, strife ("sed [illegible] et pugnam significans")

E. Character of the declamations of the imperial period.

It is well known that the chief characteristics of the declamations in vogue during the imperial period were that they were not practical, that they ignored real life, disregarded truth, and indulged in the paradoxical and absurd. "The rhetorical school" says Friedländer,[1] "created for itself in the course of time its own fantastic world, which was separated from life by a wide chasm over which no bridge was leading". This rhetorical departure was not an absolutely new one. As remarked above, artistic speech seems to have always had a tendency to deviate from verity and naturalness. Examples may be found earlier than Asianism. Thus Corax of Syracuse, who lived at the beginning of the fifth century B.C., is alleged to have defined rhetoric as πειθοῦς δημαγωγός, and his disciple and successor Tisias, the first to write on the technique of rhetoric,[2] teaches

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1 cf. Friedländer - Darst. der Sitt. Roms III p. 391 [illegible]

2 cf. Cicero - De invent. II. 6 "Ac veteres quidem scriptores artis usque a principe illo atque inventore Tisiae...."; Plato - Phaedr. 267ª, 273ª sq.; Aristotle - Rhet. II. 24 (ed. Spengel Rhet. Graec. I p. [illegible]) The work is referred to as that of Corax.

in regard to the finding of arguments that the orator is not to concern himself about the truth but to be content with the εἰκός, to make anything appear probable or improbable just as it suits his interest. Protagoras promised to teach "τὸν ἥττω λόγον κρείττω ποιῶν."(4) The "ἀγνοῦ" of Anaximenes was openly proclaimed to have no other object than to equip anyone who followed it, be he right or wrong, with the means to defeat his adversary even if the latter were indisputably in the right and to deceive the judges.(5) "Among a celebrated section of antiquity," says Spengel,(6) "is nothing else than an unmistakable proof that external splendor and bullying operated the truth by the appearance of truth."

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3 cf. Aristotle - Rhet. II. 24 (ed. Spengel - Rhet. Graec. I p. 118)
"φαίνεται μὲν οὖν ἀμφότερα εἰκότα, ἔστι δὲ τὸ μὲν εἰκὸς, τὸ δὲ οὐχ ἁπλῶς ἀλλ' ὥσπερ εἴρηται." He illustrates by an example;
Spengel - Ueber das Studium p. 8 Spengel

4 cf. Plato - Phaedr. 267A; Aristotle - Rhet. II. 24 (ed. Spengel - Rhet. Graec. I p. 118); Cicero - Brutus VIII 30; Aristophanes - Clouds 112 sq.; Gellius - Noct. Att. V. 3. 7; Diogenes Laertius - 9. 52. Socrates also was charged with this. cf. Plato - Apology 19 A sq.

5 Spengel - Ueber das Studium p. 7 Spengel

6 cf. Spengel ibid. p. 14 of the numerous examples in illustration of this [illegible] Spengel

The Tetralogies of Antiphon (orations XIII - XV) exhibit in their arguments much sophistical casuistry and chicanery. The final oratory is constantly applying itself to fictitious discussions and absurd and perverse paradoxes. Pericles is said to have engaged in discussion with Protagoras an entire day on the following case:- a Pentathlete in the races inadvertently killed with his spear the Thessalian Epitimos; the question was, who was the author of this accident; the Pentathlete because he hurled the spear, or those in charge of the race because they arranged it in such a manner, or finally the spear itself because it passed in such a way as to hit the unfortunate Epitimos.[7] Isocrates complains of those composers of epideictic speeches who selected the most paradoxical topics for their subjects.[8] Thus Polycrates (born before 436 B.C.) composed speeches in defence of Busiris and in

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7 cf. Plutarch - Pericles c. 35

8 cf. Isocrates - Ἑλέν. ἐγκ. / sqq. "εἴσι τινὲς οἱ μέγα φρονοῦσιν, ἢν ὑπόθεσιν ἄτοπον καὶ παράδοξον ποιησάμενοι περὶ ταύτης ἀνεκτῶς εἰπεῖν δυνηθῶσι κ.τ.λ."; Βουσ. 49; Spengel - Ueber das Spengel Studium p. 17. An example of this fictitious oratory by Lysias is given in Plato's Phaedrus, 231 A - 234 C.

accusation of Socrates,[9] eulogies on Clytemnestra,[10] on 9
mice,[11] pots, and voting pebbles.[12] Others focused the 10
lot of beggars and exiles,[13] made a hero of Paris,[14] or 12
selected salt and drinking-vessels as objects of encon- 13
ium.[15] Among the Romans we find traces of these exer- 15
cises in Dormiferius and Cicero.[16] With the Latinisms 16
of the imperial epoch such exercises became the rule
and what is of more importance still, not exercises as
a means preparatory to cases in real life, which was
their import even with the Asian orators, but they
came to be regarded as an end in themselves.[17] As such 17

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9 cf. Isocrates - Βουσ. 4 sqq.

10 cf. Quintilian - Instit. Orat. II. 17. 4

11 cf. Aristotle - Rhet. II 24 (ed. Spengel - Rhet. Graec. I p. 115)

12 cf. Alexander Rhetor - ed. Spengel - Rhet. Graec. III p. 3

13 cf. Isocrates - Ἑλεν. ἐγκ. 8

14 cf. Aristotle - Rhet. II. 24 (ed. Spengel - Rhet. Graec. I p. 115)

15 cf. Plato - Symp. 177 b

16 cf. Cicero - De inventt. II 40. 118 "Inventrix omnium mercedem ne habeto; si habuerit publice esto"

17 cf. Blass - Die griech. Beredsamkeit p. 50 sq.

they attained an extraordinary importance. Life in the forum and in the courts was considered as a trade, to which were attached all the evils of greed and ambition; the declamations on the other hand were regarded as purely scientific and promoting the cultivation of the mind. Pliny [of Spirit II. 3] says of Isaeus his contemporary: "Annum sexagesimum excessit et adhuc scholasticus tantum est; quo genere hominum nihil aut simplicius aut sincerius aut melius; nos enim qui in foro verisque litibus terimur, multum malitiae quamvis nolimus addiscimus; schola et auditorium, ut facta causa, ita non inermis, innoxia est, nec minus felix senibus praesertim."[18] As regards the subject-matter of the controversiae of Seneca and the declamationes of the pseudo-Quintilian, all the themes are taken from the domain of jurisprudence. This seemed the least dangerous ground for a display of rhetorical pyrotechnics under an autocratic rule. There was the additional advantage that these subjects allowed a great variety of interpretation and argument and afforded opportunity for

18 cf. Spengel - Schl. Ang. der bayer. Ak. der Wiss. XLVII (1858) p. 10 sq.

[illegible] play of the rhetorical art.[19] But aside from the judicial formula to which the treatise is attached, all is imaginary.[20] Many of the cases on which the judicial discussions are based.

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19 cf. Latro in Seneca - Contr. IX. 4. 9 "In lege.... nihil excipitur, sed multa, quamvis non excipiantur, intelleguntur et scriptum [illegible] [illegible] [illegible] est."; [illegible] - [illegible] Rhet. Sen. p. 37

20 cf. Seneca - Contr. I. 1 "[illegible] [illegible] [illegible] aut [illegible]."; I. 2 Sacerdos casta ex castis, pura e puris sit."; I. 5 "Rapta raptoris aut mortem aut indotas [illegible] optet"; Quintilian - Decl. CCXLIV "Qui [illegible] [illegible] fuerit, quadruplum solvat." &c &c. Petronius - Sat. I directed against the rhetoricians. l. 10 "Piratas cum catenis in litore stantes; tyrannos edicta scribentes, quibus imperent filiis ut patrum suorum capita praecidant; responsa in pestilentiam data ut virgines tres aut plures immolentur"; Tacitus - Dial. c. 35 "Sic fit ut tyrannicidarum praemia aut sitiatorum electiones aut pestilentiae remedia aut [illegible] [illegible] aut quidquid in schola [illegible] agitur, in loco vel [illegible] vel nunquam, [illegible] [illegible] [illegible]." Juvenal - Sat. VII. l. 150 sq.; Quintilian - Instit. Orat. II. 10. 3-5. Quintilian enumerates also the "magos" which must have been a later addition to the repertoire of the rhetoricians, for in [illegible] they do not [illegible] occur.; Simcox - Lat. Lit. p. 433 sqq. (c. VIII)

Simcox

those for instance [illegible] tyrants and tyrannicide,[21] 21
have no application to Roman life, and most of them are unnatural, extravagant, absurd, and not infrequently indecent. Of the 74 themes in Seneca's controversiae, 17 [illegible] with immoral relations,[22] 7 with tyrants,[23] 7 with poisoning or attempts at it,[24] 14 with disinheriting children [illegible].[25] 22 23 24 25

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21 cf. Seneca - Contr. II. 5; III. 6; Quintilian - Decl. CCXLIII, CCLXIX, CCLXXI &c.; also Seneca - Contr. V. 3 "Pater pancratiastae."

22 cf. Seneca - Contr. I. 2, 3, 4, 5, 7; II. 3, 4, 7; III. 5; IV. 3, 7; V. 6; VI. 6. 8; VII. 5, 6, 8; VIII. 6; IX. 1

23 cf. Seneca - Contr. I. 6; II. 5; III. 6; IV. 7; V. 8; VII. 6; IX. 4

24 cf. Seneca - Contr. III. [illegible]; VI. [illegible]; VII. [illegible]; IX. [illegible]

25 cf. Seneca - Contr. I. 1. 8; II. 1. 2. 4; III. 3, 4; V. 2; VI. 1; VII. 1, 3; VIII. [illegible]; X. 2. "It is remarkable," says Friedländer, (cf. Dmst. Friedländer Sitt. Roms III p. 373) "and shows most clearly the novellistic character of these [illegible], that the collection of Seneca had been frequently and with evident predilection used in a collection of novels and anecdotes which was very popular in [illegible] as an entertaining book" (the [illegible]; Friedländer - [illegible] Roman [illegible]). In this Friedländer gives parallel passages from both works.

Others are no less unnatural and [illegible] destitute;
even impossible, relations and circumstances are pre-
supposed; the parties are placed in the strongest possible
conflicts of equally sacred duties and strong emotions and
sympathies and are made to do or order to be done the most 26
monstrous things.[26] Many of the cases treated in the Controversiae
and Declamationes were probably analogous to scandalous
occurrences in real life in decadent Rome. Compare for
instance Tacitus - Annales II. 74; III. 1 on the poisoner Martina;
IV. 1 the rumors about Sejanus, Tiberius, and Drusus; IV. 22
on the murder of his wife by Plautius Silvanus; XIV 44.[27] 27
But in general it may be said that the rhetoricians of this
period turned away from the affairs of real life with a restive
naughty disgust. "De magnis maiora loqui"[28] seems to have been 28
their motto and to them the equivalent of "magna" was the
uncommon and the bizarre.[27] 29

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26 cf. Seneca - Contr. I 1, 3, 4, 7; VI. 2, 7; VII. 7; X. 3, 4; Friedländer - Friedländer
Darst. der Sitt. Roms III p. 372 sq.; Quintilian - Decl. CCXXIV, CCCXXIII.

27 cf. Hammer - Beitr. zu den 17 gross. quint. Decl. p. 7 Hammer
28 cf. Juvenal - Sat. IV. 1. 17

29 cf. Quintilian - Institut. Orat. VIII. 3. 70 in praefat. "Naturam [illegible]
amur, hanc sequamur. Omnis eloquentia circa opera vitae est,
ut se habent quisque quae vendit, et id facillime [illegible]
[illegible]."

Such fictitious themes as cases frequently of a monstrous and abhorrent nature, required in their treatment an extraordinary and constant straining and forcing of ideas and language, in order to hold the attention of an idle and blasé audience which had no other interest than diversion and distraction. The fact that the same subjects were treated by several rhetoricians, spurred them on to do their utmost in subtleties and surprising turns of thought and expression,(30) - the "inopinatum" at any

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30 Besides the speaking by contemporaries on stock subjects, we find that the same themes were declaimed upon repeatedly. cf. Seneca - Contr. II.3 with Quintilian - Decl. CCCXLIX; Contr. II.5 with Decl. CCLI; Contr. III.7 with Decl. CCCLXXX; Contr. IV.4 with Decl. CCCLXIX; Contr. VI.5 with Decl. CCCLIIIVI; Contr. VI.6 with Decl. CCCLIV; Contr. IX.6 with Decl. CCCLXXXI; Contr. X.2 similar to Decl. CCLVIII. How completely this artificiality of both matter and form became identified with antique rhetoric and how persistently it held its own may be noted from the fact that the Dictions of Ennodius at the end of the fifth century A.D. are still busy with the old themes of stepmothers, tyrannicides &c although there is a marked decadence in the manner of their treatment. cf. Ennodius - Dict XV · XVIII

cost—, so that the treatise became a mosaic of involved diatesis.[31] Having no attainable object, nothing to stir the heart and rouse the emotions, the rhetor could only by force of imagination enter into the spirit of his theme, finding all the points of opportunity it afforded for displaying the elegance of his style and his skill in speaking on any subject for and against, making "the small great and the great small."[32] The characteristics of the oratory of the declamators are thus compared with the oratory of the courts by Eussius Lenorus

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31 cf. Seneca - Praef. Contr. I. 21 "Nihil est iniquius his, qui nusquam putant esse subtilitatem nisi ubi nihil est praeter subtilitatem."

32 cf. Plato - Phaedr. 267 A. Again we find in Ennodius's epistle on education, the old familiar claim that rhetoric is the crown of the sciences, able to make black white and white black: "Post apicem divinitatis ego illa sum quae vel commuto si sunt facta vel facio...." "Si noster tantum, non stringunt crimina quemquam. Nos vitae maculas tergimus artis ope. Si nimio constet merito quis teste senatu, Cogimus [illegible] dicere nocte sutum." A sweeping claim indeed for the "[illegible] recitatio." cf. Ennodius - ad Hortal. Opusc. VI Ambrosio et Beato pp. 407, 408

[cf. Seneca Praef. Contr. III 12 sqq.] Ego tamen et praefatum causam videor posse reddere; adsuevi non auditorem spectare, sed iudicem; adsuevi non mihi respondere, sed adversario; non minus devito supervacua dicere quam contraria. In scholastica quid non supervacuum est nam ipsa supervacua est? Indicabo tibi affectum meum: cum in foro dico, aliquid ago; cum declamo, id quod bellissime Censorinus aiebat de his, qui honores in municipiis ambitiose petierent, videor mihi in somniis laborare. Deinde res ipsa diversa est: totum aliud est pugnare, aliud ventilare. Hoc ita semper habitum est, scholam quasi ludum esse, forum arenam." Also [cf. Seneca-Praef. Contr. IX 2] These hothouse orators when exposed to the fresh air of real life, were entirely out of their element and became confused. [cf. Seneca-Praef. Contr. III. 13 sqq.] "Agedum [illegible] declamatores produc in senatum, in forum; cum loco mutabuntur, velut adsueta clauso et delicatae umbrae corpora sub divo stare non possunt, non imbrem ferre, non solum sciunt, vix se inveniunt; adsuerunt enim suo arbitrio diserti esse. Non est quod oratorem in hac humili exercitatione spectes. Quid si velis gubernatorem in

piscina aestimare?" The rhetor Porcius Latro being called to defend a relation, became so confused under the open sky of the forum that at his request the court was transferred to a basilica.[33] The original object of these exercises, as to prepare for actual and practical life, was entirely lost sight of.[34] The whole affair was a piece of theatrical ostentation to amuse the audience and satisfy the vanity of the teachers.[35] Hence the selection of subjects fit for grandiloquence,[36] for the inflated vanity of the rhetoricians was one of the roots of the evil. They did not care for truth or even good sense, but to win the applause of the public. Complaints of the

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33 cf. Seneca – Praef. Contr. IX. 1; Quintilian – Instit. Orat. X. 5. 18

34 cf. Seneca's idea of an exercise as he describes it Praef. Contr. IX. 4 "Non est autem utilis exercitatio, nisi quae operi simillima est, in quod exercet...."

35 cf. Quintilian – Instit. Orat. II. 10. 8 sq. "Nam si foro non praeparat; aut scaenicae ostentationi aut furiosae vociferationi simillimum est...."; VII. 2. 54; X. 2. 12; 7. 21

36 cf. Morawski – De rhet. lat. p. 7 Morawski

vociferous clamors in the schools are numerous.[37] Still in fairness it should be added that not all the blame was laid upon the rhetoricians by those of their contemporaries who deplored most bitterly the corrupting influence of this kind of education. It was demanded by the superficial tendency of the time and the rhetoricians as children of their time simply met this demand. False oratory

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37 cf. Seneca- Contr. IX. 6. 12 "Et aiebat Cestius; quod si ad deridendum me dixit, homo venustus fuit, et ego nunc scio me ineptam sententiam dicere; multa autem dico non quia mihi placent, sed quia audientibus placitura sunt." As to the applause cf. Seneca- Contr. II. 1. 36; VII. 4. 10; II. 3. 19 "Cum scholasticorum summo fragore", the absence of which in the forum was one of the causes of the discomfiture of the rhetoricians when there. cf. Seneca- Praef. Contr. IX. 2 "Cum ventum est in forum et desiit illos ad omnem gestum plausus excipere, aut deficiunt aut labant."; Quintilian- Instit. Orat. II. 2. 10 "Illa vero vitiosissima quae iam [illegible] vocatur, invicem qualiscunque laudande, cum est audacia et theatralis et severe institutis scholis aliena...."; IV. [illegible]. 77; [illegible]; IX 4 62; also Seneca the philosopher - Epist. [illegible]. 12. From the schools this theatrical misdemeanor found [illegible] into the courts. cf. Pliny - Epist. II. 14; - [illegible] - De [illegible] Epistulae [illegible]

was an effect more than a cause.[38] [cf. Seneca phil. Epist. 114. 1 sq.] "... talis hominibus fuit oratio qualis vita." Even Petronius who attacked the rhetors in the most unsparing manner, says [cf. c. 3 sq.] "Nihil mirum in his exercitationibus doctores peccant qui necesse habent cum insanientibus furere.... Quid ergo est? Parentes obiurgatione digni sunt, qui volunt liberos suos severa lege proficere...." Tacitus [cf. Dialogus c. 28] says, - Sed enim ignorat et eloquentiam et ceteras artes desinere ab illa vetere gloria non inopia hominum, sed desidia iuventutis et neglegentia parentum et inscientia praecipientium et oblivione moris antiqui?" [cf. Quintilian - Instit. Orat. II 4 15 sq. (on the vanity of the parents); Persius - Sat. III. 46 sq.]

The Controversiae.

The form and division of the Controversiae are given in the title of Seneca's works, - "Oratorum et rhetorum sententiae, divisiones, colores."

1st The sententiae like the inventio contain the material necessary for judging the case; they give the opinions of

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38 cf. Cucheval - Hist. de l'éloq. rom. I p. 235; II p. [illegible] Cucheval

the different rhetors with regard to the legal status of the case under consideration, i.e. whether the legal formula proposed is applicable to the case and of so, [illegible]. This is subdivided into pars prior and pars altera (or with the second part introduced by contra), giving the pro and con or the accusatio and defensio.

2nd the division [illegible] the material into various quaestiones or points of view from which the case is argued. Seneca [cf. Contr. I.1.13] points out that the divisio of the rhetoricians of his time became more subtle than that of former times. As a matter of fact the [illegible] was often split up into endless subdivisions, without gain to either clearness or force. As a rule moreover the divisio consisted of a mere skeleton of the quaestiones and their subdivisions.(39) 39

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39 cf. Seneca - Praef. Contr. VII.2 where Albucius is reproached for treating the divisio more fully. As an example may be given the divisio I.3.8. A vestal for the sin of [illegible] from the Tarpeian Rock but was not killed. The issue is: whether she ought to be thrown a second time. Latro makes the following divisio, - "Utrum lex de incesta tutam esse velit quae deiciatur nec pereat; an damnata, etiamsi innocens [illegible] adpareat, deici non debeat; an haec innocens sit; an haec deorum adiutoria servata sit." Gestus [illegible]

3rd The colores are the extenuating reasons for a [illegible] deed, which however were not founded upon [illegible] but merely invented by the rhetoricians.(40) In fact the colores were the revelling ground for the wits of the

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tum subdivided the last question: "An dii immortales humanarum rerum curam agant; si singulorum agunt an huius egerint" Fuscus Arellius offers the following divisio: "Utrum incestae poena sit deici an perire; utrum providentia deorum an casu servata sit; si voluntate deorum servata est, an in hoc, ut crudelius periret." Comment is needless.

40 The rhetoricians themselves made a distinction between defensio and color. cf. Seneca- Contr. VII. 6. 17 "A parte patris magis defensione opus esse dicebat Latro quam colore." The color also served to give a weak point which was to be defended, a plausible aspect. It also served to mention things under another name for the sake of decency. cf. Quintilian- Instit. Orat. IV. 2. 88 "Id interim ad solam verecundiam pertinet, unde etiam mihi videtur dici color"; Tacitus, cf. Dialogus c. 20) speaks of the "color sententiarum" as parallel to the "nitor et cultus descriptionum", where it is probably equivalent to our color or vividness of speech; [illegible] Pret. ex.; Mayor's ed. of Juvenal, on Sat. VII. 1. 55 Mayor

rhetoricians where they indulged to the full in subtleties, casuistries, and absurdities of invention. Their methods of defence may be shown by the following example. In defence of one who maimed exposed children and then forced them to beg for his benefit, Gallio [cf. Seneca - Contr. X. 4. 15] adduces, - "Egentem hominem et qui ne se quidem alere nedum alios posset, sustulisse eos, qui iam relicti sine spe vix spiritum traherent, quibus non iniuria fieret, si aliquid detraheretur sed beneficium daretur, si vita servaretur. Faciant invidiam, dicant aliqui oculos deesse, aliqui manus, dicant illos per hunc tam miserae vivere, dum fateantur per hunc vivere." He even attempted to set up this brute as a public benefactor. "Adeo.... haec res non nocuit reipublicae, ut possit videri etiam profuisse, pauciores erunt qui exponant filios." The condition of a slave should be looked upon in a favorable light because [cf. Seneca - Contr. VII. 6. 18] "Et nos nuper servos fuisse. Vettulit Gavium regem." If an historical fact was involved and the case as it really occurred did not suit the pleader, he had no scruple about altering it.[41]

41 cf. Seneca - Contr. VII. 2. 8 "Declamatoribus placuit parricidarum fuisse ...."; Heinemann - Beitr. zu den 19 gross. quint. Decl. p. [illegible] Heinemann

The Suasoriae.

While the [illegible] genus iudiciale, the Suasoriae belonged to the genus deliberativum and related to historical or mythical persons, answering the question what some such person was to do in a certain condition or situation. Hence in contrast to the Controversiae, into the Suasoriae names were [illegible] the rhetorical schools the Suasoriae, being the more simple and easy, were the exercises used in the beginning; the Controversiae being more varied and complex, formed the last stage in the training of the [illegible] rator.[42] A Suasoria may be simple, merely [illegible] whether a certain thing is or is not to be done;[43] or duplex, where there is a choice between two alternatives;[44]

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42 cf. [illegible] – Gesch. der Bereds. II p. [illegible]; Tacitus – Dialogus c. 35 "De his suasoriae quidem [illegible] leviores et [illegible] prudentiae exigentes, [illegible], controversiae robustiori [illegible] adsignantur."

43 cf. Seneca – Suas. I; VI.

44 cf. Seneca – l. c. II; III; IV; V; VII

[illegible] riae are generally characterized by the absence of an [illegible] and discusses it in an elevated, sometimes excited, and even harsh tone.(46) In the Suasoriae stress was laid not so much on the argumentation as on the description of the effects which might result from taking or omitting the step under deliberation.(47) The division of the Suasoriae is likewise simple. They consist of two parts; the first may be termed tractatio; it gives the formal discourse on the question. The second part, superscribed divisio, is an informal and personal review or report by Seneca of the sayings and comments of the rhetoricians, intermingled with reminiscences, anecdotes, and an occasional excursus.

[illegible] III. [illegible] "Pompeius deliberabat [illegible] in Africam an Aegyptum peteret." [illegible] Suasoriae simple [illegible] cf. [illegible] 17 sq.

46 cf. Quintilian - l.c. 8, 58 sq., 69. He censures this as an error of the declamators.

47 [illegible] versiae. cf. Seneca - Contr. II. 2. 12 "Declamabat autem Naso raro [illegible] molesta illi erat omnis argumentatio; Praef. Contr. II. 3; III. 10 sq.

As has been already stated the defects of the declamations of the imperial period were in general the same as those of Asianism, - lack of moderation, false pathos, a childish striving for the "inopinatum" in thought and form, frigid ἀστεϊσμοί, perverse ingenuity, and an ostentatious display of the speaker's art instead of its concealment. At the same time it must be admitted that some [illegible] skill and even with elegance. The following are a few examples taken at random: "Nullum iam tibi culmus nisi per cicatricem imprimi potest." Contr. I. 8. 3; "Char[illegible]." [illegible] I. [illegible]; "[illegible] uxori suae obligatus est: quod non est occisus et quod occidit." Contr. II. 5. 5; "Ciceronis proscriptio fuit occidi, mea occidere." Contr. VII. 2. 11. "Modum tu magnitudini [illegible] .... Alexander orbi magnus est, Alexandro orbis angustus est." Suas. I. 3; "Ergo tibi, soror, ut honestos habeas liberos adulterandum est?" Contr. VII. 6. 2; "Amisi uxorem, liberos, patrimonium, for[illegible]" Contr. V. [illegible]; [illegible]

[illegible] quidquid [illegible] discurrit, [illegible] [illegible], quare nunc [illegible] sub to moriemur: mortibus [illegible]." Praef. Contr. X. [illegible] [illegible] of [illegible] modus and iudicium in descriptions of cruelty and other abhorrent things are found in Contr. X. 4. 2; IX. 2. 4. How far the Rhetoricians could go in silliness and absurdity is shown in Praef. Contr. VII. 8 where Albucius asks,-"Quare calix si ceridet frangitur, spongia si ceridet non frangitur?" To which Cestius aptly replied,-"Ite ad illum cras, declamabit vobis, quare turdi volent, cucurbitae non volent." Instances of this sort might be multiplied indefinitely. Favorite digressions of the rhetor are inveighings against the corruption of the times [cf. Seneca-Contr. II. 7. 1], and moralizings on the instability of fortune [cf. Seneca-Contr. II. ...; V. 1.][48] Still there are found among these excrescences of an unrestrained imagination real gems of wisdom "Optimus virtutis finis est, antequam deficias [illegible]." Contr. I. 8. 2; "Magna pectoris est inter secunda moderatio." Suas. I. 3; "Magis deos miseri quam beati

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[48] cf. [illegible] [illegible] [illegible] pp. 6. 12 s. [illegible]

[illegible] Contr. VIII. 1. 2; "Nulla satis publica est de qua quaeritur." Contr. I. 2. 10; "Dedit de suis fortuna muneribus et quae dedit aufert, quae abstulit reddit, nec unquam tutius est illam experiri quam cum locum iniuriae [illegible]" [illegible] V [illegible] Thermopylae say, "Electi sumus, non relicti." Suas. II. 4. The form of the declamations is characterized by the same artificiality as their subject-matter. In general it bears the stamp of the Silver Latinity, - a certain studied smoothness, correctness, and elegance, the confusion of prose and poetic diction, of which the author of the Dialogus de [illegible] (49) [illegible] given to the form instead of the substance, (50) a copious use

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49 cf. Tacitus - Dialogus c. 20 "Exigitur enim iam ab oratore etiam poeticus decor, non Accii aut Pacuvii veterno inquinatus, sed ex Horatii et Vergilii et Lucani sacramento prolatus."; Seneca - Suas. III. 4 "Fuscus Arelliis Vergilii versus voluit imitari."; Quintilian - Instit. Orat. II. 4. 3 "....arcessitis descriptionibus, in quas plerique imitatione poeticae [illegible]"

50 cf. Seneca - Contr. VII. 4. 70; IX. 2. 27

of the [illegible]
of the antithesis.[51] Here again is a lack of modus and iudicium; [cf. Seneca-Suas. VI. 5] on Mark Antony: "Quae Charybdis est tam vorax? Charybdim dixi, quae, si fuit, animal unum fuit; vix me dius fidius Oceanus tot res [illegible] [illegible] [illegible]; or note such metaphors as Muredius used; [cf. Seneca-Contr. VII. [illegible]] [illegible] .... mor[illegible] effudit"

c. Influence of rhetoric on other branches of literature.

Considering the important position accorded to the rhetorical schools and rhetoric itself in the mental life of the imperial epoch, it is not surprising that the school declamations affected the tone and style of other departments of literature. It should be remembered that in the rhetorical works of Seneca, the declamations bearing the name of Quintilian, and the fifty-one epitomae decem rhetorum minorum of Calpurnius Flaccus, we have but

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51 cf. Persius-Sat. I. l. 85 sq. "... [illegible] Librat in antithetis, doctus [illegible] 'bellum hoc.'"

a survival remnant of those productions of the schools which were spread abroad in book form. There must have grown up a sort of "corpus declamationum" as a thesaurus for the [illegible] to the art of speaking.(1) Moreover, when the subjects discussed in the schools were out of touch with actual life, the schools themselves influenced living men. Single sayings of the rhetoricians were widely [illegible] and became a kind of ἔπεα πτερόεντα.(2) The mannerisms of the rhetoricians, with their confusion of prose and poetic diction, with their "egressiones" for the sake of variety,(3) in splendid descriptions of men, cities, mountains, the sea &c crept

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1/ This may be inferred from Seneca. cf. Seneca- Praef. Contr. I. 1?; Hammer- Beitr. zu den 19 gross. quint. Decl. p. 7 Hammer

2/ cf. Seneca- Suas. II. 10 "Scaeva nihil fuisse [illegible] notum, quam his explicationes fuisse, quas nemo non exhibuit qui aliis aliquid [illegible] voluit sua quisque [illegible]"; Quintilian- Inst. Orat. VIII. [illegible] "Sententiae ubique cantari solebant."; Tacitus- Dialogus c. 20 "Iuvenes.... [illegible] et lingua memoriae mandant; [illegible] Moraweki

3/ Quintilian- Inst. Orat. IV. 3. 12

especially into the historical works of the time.[4] It would seem that while in this epoch the various kinds of literature became mixed, - a characteristic of a nervous and unsettled period, - the line of demarcation between rhetoric and history was particularly effaced[5] among the poets the one most influenced by rhetoric was Ovid,[6] as Euripides

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4 cf. Quintilian - ibid. X. 2. 21 "Id quoque vitandum, in quo magna pars errat, ne in oratione poetas nobis et historicos, in illis operibus oratores et declamatores imitandos debemus. Sua cuique proposita lex, suus cuique decor est."; Lucian - Πῶς δεῖ ἱστορίαν συγγράφειν 15 sq.; 27 sq.; Spengel - Ueber das Studium p. 28; Blass - Die griech. Bereds. p. 146 sq. Spengel Blass

5 cf. such criticisms in Seneca - Suas. V. 8 "Dignam quae vel in oratione vel in historia ponatur."; Pliny - Epist. II. 5 "Nam descriptiones locorum quae in hoc libro frequentiores erunt, non historice tantum, sed paene poetice prosequi fas est."; Sternbach - Zeitsch. für die österreich. Gymn. XLIV (1881) p. 17 sq. Sternbach

6 cf. Seneca - Contr. II. 2. 8 "... Latronis admirator fuit (sc. Ovid) .... adeo autem studiose Latronem amavit ut multas illius sententias in carmen suum transtulerit..."; Gruppe - Quaest. ann. p. [illegible] sq.; Buchwald - Hist. de l'élog. rom. I p. 283 sq. Gruppe Buchwald

among the Greeks. Persius at the age of sixteen became the pupil of the rhetor Cornutus and remained his devoted adherent [illegible] his life.[7] [illegible] fellow-pupil of Persius, also surrendered himself to the [illegible] Cornutus and the [illegible] affords many examples of epigrammatic power acquired in the rhetorical school.[9] The rhetor [illegible] had as his intimate friends the poets Statius and Martial; the former dedicated to Severus, Silvae IV. 5 [cf. l. 29-52], and the latter dedicated to him four of his epigrams.[10] The declamations had a no less marked influence upon the tragedies of the younger Seneca.[11] As the declamations contain among much chaff many precious grains, so was their influence on Latin literature not an unmixed evil. On this point the judgment of Bernhardt is as follows;-

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7 cf. Persius - Sat. V. l. 22-65; Dio Cassius LXII. 29

8 cf. [illegible] - Les Africains p. [illegible]; Quintilian - Instit. Orat. X. [illegible] Monceaux

9 cf. Lucan - Phars. IV. l. 185, 823

10 cf. Monceaux - l. c. [illegible] Monceaux

11 cf. Leo - De Sen. trag. obs. crit. p. 147 sq. [illegible] Seneca's tragedies are "Declamationes ad tragoediae amussim deductas, et in actus deductas." Leo

[illegible] weak as well as the brilliant points of the authors [illegible]; if on the one hand we are disturbed by their cut up, inflated, and hasty manner, they on the other hand owe to rhetoric, which was developed to the extreme, an elasticity and keenness of thought which compensates for the shapelessness and tastelessness which are met [illegible] (12)

3. The character and attainments of the rhetoricians.

It has been stated already that after the emperors took the rhetorical schools under their protection, the social status of the rhetors became in a measure a respected and honored one. Rich men engaged rhetors to give exhibitions of the declamatory art for the entertainment of guests in their own houses.(1) At other times they delivered their discourses in schools, at their homes, or in [illegible]

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12 cf. Bernhardy - Grund. der röm. Litt. p. 282

1 cf. Suetonius - De ir. ill. c. 7 "In Antonius Grypho docuit primum in Divi Iulii domo pueri adhuc, deinde in sua privata."; Gruppe - Quaest. ann. p. 27

were often the companions of prominent men; so Albucius Silus of Plancus,[2] Timagenes of Pollio.[3] What a colossal idea of their own importance and that of their art the rhetoricians had, may be seen from Aper's exposition in Tacitus - Dial. c. 5-7.[4] It may be safely asserted that the immoderate vanity, conceit, and rivalry of the rhetoricians, which led them to make a display of their skill and acumen an end in itself, or rather the end, and to adopt every expedient to draw attention to it, was a leading cause of the perversion of oratory at that time. As might be expected of men who lived, moved, and had their being in an unreal world and whose lifework was confined within the four walls of a schoolroom, the rhetoricians must have been as a rule

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2 cf. Suetonius - De rhet. clar. c. 30

3 cf. Seneca philos. - De Ira III. 23

4 cf. for instance c. 7 end; - "Quid? fama et laus cuius artes cum oratorum gloria comparantur. Ut? qui tam industrae et in urbe.... non solum apud [illegible] rebus intentos sed etiam [illegible] et adolescentes, quibus modo recta indoles est et bona spes."

unpractical and pedantic. As Koerber [cf. Ueber den Rhet. Sen. p. 44 sq.] remarks, this may have been implied in the name "scholasticus" which was given to them. Thus Seneca [cf. Praef. Contr. X. 12] says with reference to Bassus who endeavored in his declamations to imitate the force and earnestness of an orator of the forum: "Nihil est indecentius quam ubi scholasticus forum, quod non novit, imitatur. Amabam itaque Capitonem.... bona fide scholasticus erat."(5) And Seneca [cf. Praef. Contr. VII. [illegible] sq.] relates that Albucius affected in his declamations, vulgarities and low expressions, in order not to appear as a scholasticus. The rhetoricians took their task and the preparation for it, very easily.(6)

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5 cf. Tacitus - Dialogus c. 35 "At nunc adulescentuli nostri deducuntur in scaenam scholasticorum qui rhetores vocantur"; Koerber - Ueber den Rhet. Sen. p. 45 footnote 212 "In the same meaning Petronius in his first Satire employs the word 'umbraticus', i.e. 'scholasticus, qui in umbra sub tecto vitam agit', according to an old glossary on Petronius" cf. Seneca - Praef. Contr. I. 10 "Quis est, qui memoriae studeat? Quis, qui non dico magnis virtutibus, sed suis placeat? Sententias a disertissimis viris iactas facile in tanta hominum desidia pro suis dicunt."

when originality was lacking they were content to appropriate the mental property of others, changing or omitting a word.[7] Still there were individual exceptions who were earnestly devoted to their art and endeavored to cultivate and perfect it. So for instance Latro.[8] Moreover there was not an absolute lack of able men with sound judgment and clear insight, who made no secret of their opinion of the unwholesome character of the school declamations and the shortcomings of the rhetoricians. The crushing judgment of [illegible] [cf. Seneca- Praef. Contr. III. 12 sq.] has been quoted already. Montanus Votienus speaks in terms no less sharp of the vanity and want of conscientiousness of the rhetoricians. [cf. Seneca- Praef. Contr. IX. 1 sq.] To a certain degree they seem to have exercised a mutual criticism.[9] From the fact that the rhetoricians were allowed to harangue

7 cf. Seneca- Contr. X. 5. 20 "Multi sunt, qui detracto verbo aut mutato aut adiecto putent se alienas sententias bene fecisse"

8 cf. Seneca- Praef. Contr. I. 23

9 cf. Seneca- Contr. I 2. 22; VII [illegible]; IX [illegible] - [illegible] Rhet. Sen. p. 52 sq.

freely against tyranny, to exalt tyrannicide in the most glowing terms, and to kill off their imaginary tyrants to their hearts' content, unmolested by the actual tyrants who were sitting on the throne.[10] It may be inferred that they were regarded as a harmless sort of people and that they exercised no influence whatever on the movements of political life. Reference has been made to the possibility that the emperors favored the rhetorical schools as a safety-valve for the lingering resentment of the old Roman love of liberty. Real life as it seems went on its course ignoring them as it was ignored by them. So likewise the dissensions of the various rhetorical sects[11] must have been a harmless matter, merely in the nature of personal attachments to individual masters, and not as in the warring philosophical schools, a difference of principles,[12] for the obvious reason that professionally the rhetoricians had no principles.

10 cf. Bonnell - De mut. sub prim. Caes. elog. p. 29

11 cf. Quintilian - Instit. Orat. II. 11.2

12 cf. Blass - Die griech. Bereds. p. 157

It cannot however be too strongly emphasized that they could never have attained such a height of foolishness and such an absurd feeling of self importance had they not been strongly supported by the public opinion of the times,[13] and the reason for this strong support has in it an element of pathos.

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13 Fronto, perhaps the most courted and flattered of all the rhetoricians, expresses on almost every page of his writings his fatuous consciousness that the whole universe has its eyes fixed upon him (cf. Ad amicos I. 13); that nothing exists outside of rhetoric; that rhetoric is the queen of the world and that Fronto is the king of rhetors. His sorrow and disappointment when his imperial pupil Marcus Aurelius, turned from rhetoric to philosophy, are amusingly characteristic of the man. (cf. Monceaux-Les Africains pp. 215. 227 sq.) To explain such ridiculous vanity it is necessary to remember that the whole world then thought of Fronto what he thought of himself. He was compared by his contemporaries to the ancient Greek orators and to Cato, and pronounced their superior. (cf. Monceaux-ibid. p. 221 sq.) So well did he understand the prevailing taste that for a long time cultivated Rome "Frontonized"; his age recognized and admired itself in his works. (cf. Monceaux-ibid. p. 2[illegible]) Unfortunately [illegible]

Monceaux

Monceaux

Monceaux over

The Roman filled with the memory of the glory that had been, - the reality gone from his citizenship, from his oratory, and from his religion, - attributing to rhetoric an ethical power strong to help, turned to it as an end in itself,[14] his only link with the past, his only means of education for the present; clinging to it with a sort of despairing frenzy lest if sacred rhetoric should perish, with it should vanish from the world his only hope for the future. Only from this point of view can be comprehended rightly that intense devotion to an artificial thing - a devotion which inevitably defeated its own purpose.

Fronto's reputation in modern times the discovery of a portion of his writings in a palimpsest at the beginning of this century, has shown how exaggerated beyond his deserts was the [illegible] of his own age.

14 cf. Theo - Progym. (ed. Spengel - Rhet. Graec. II p. 60) "καὶ μὴν ἡ διὰ χρείας γυμνασία οὐ μόνον, τινὰ δύναμιν λόγων ἐργάζεται, ἀλλὰ καὶ χρηστόν τι ἦθος ἐγγυμναζομένων ἡμῶν τοῖς τῶν σοφῶν ἐπιφθέγμασιν." Gibb - The Attic Orators II p. 5[illegible]

Part II

Part II

I Seneca the Elder.

1. His life.

For a long time it was the fate of the elder Seneca not only to be overshadowed by his greater son the philosopher, but to be entirely merged in him, so that his writings were attributed to his son and always combined with those of the latter. It was Raphael of Volaterra who lived under the beginning of the sixteenth century, who first distinguished Seneca the Elder from Seneca the philosopher.[1] The confusion between father and son was fully cleared up later by Justus Lipsius.[2] To this amalgamation of the two is probably due the fact that the praenomen of the father

1 In his "Commentariorum urbanorum octo et triginta libri Anthropol. l. 17 (Raphael Maffeius Volaterranus);

2 Antonius Hispalensis - Bibliotheca Hispana vetus I. 1

2 cf. Electorum liber I (appeared in 1580)

is differently given. The mss. have either L. (Lucius) which is the praenomen of the philosopher, or omit it entirely, while the name of Marcus is first mentioned by Raphael of Volaterra. This may have originated as Barber [cf. Ueber den Rhet. Sen. p. 4] surmises, from the fact that it was customary among the Romans to give children the praenomen of the grandfather, and as the children of Mela[3] and of Seneca the philosopher,[4] bore the name of Marcus, it was assumed that this was the praenomen of the elder Seneca also.[5] The praenomen therefore must

3 The poet M. Lucanus.

4 cf. Seneca phil. – Cons. ad Helv. 18. 4

5 H. J. Müller in the preface to his edition of Seneca Rhetor p. VIII Müller thinks it probable that father and son were confounded because they had the same praenomen. Wölfflin [cf. Rh. Mus. L (1875) p. 120] Wölfflin assumes that the praenomen is Lucius on the ground that Quintilian-Instit. Orat. X 1 125 mentions the philosopher simply as Seneca, while in l. c. 101, 114 he speaks of T. Livius and C. Caesar to distinguish the historian from the poet Lucius and the dictator from another Caesar, as also Varro Atacinus is cited by Priscian 10.3 to distinguish him from M. Varro of Reate. Wölfflin argues that Quintilian would have marked the distinction of praenomen between the Senecas, father and son, had such a distinction existed. The argument does not seem very convincing as Quintilian is speaking only of philosophers, so that there was no possible ambiguity as to which Seneca he meant.

be regarded as uncertain. Seneca was born at Cordova in Spain.[6] His family was wealthy and belonged to the equestrian order.[7] The date of his birth can be only approximately established by the combination of other data. Seneca himself [cf. Praef. Contr. I. 1] says that but for the Civil War which kept him in his native province he would have had the opportunity of hearing Cicero declaiming with the two great men who bore the togu praetexta. By these are to be understood Hirtius and Pansa who were consuls in 43 B.C.,[9] and Seneca must refer to this very year.

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6 cf. Seneca phil. - Epigr. IX (ed. Hasse) "Nunc longinqua tuum deplora, Corduba, vatem.... Ille tuus quondam magnus, tua gloria civis Infigar scopulo."; Seneca - Praef. Contr. I. 11 "Bellorum civilium furor.... intra solitam meam me continuit."; Martial - I. 61. 7

7 cf. Seneca phil. - Cons. ad Helv. 14. 2

8 cf. Tacitus - Annales XIV. 53

9 cf. Suetonius - De clar. rhet. c. 1 "Cicero ad praeturam usque Seneca declamavit; Latine vero senior quoque, et quodam consulibus Hirtio et Pansa, quos discipulos et gravatos praetextatos vocabat."; Cicero - Ad Fam. VII. 3 [illegible]; IX [illegible]

The question of Seneca's age at this time depends on another viz. at what age pupils usually entered the rhetorical schools. Koerber [cf Ueber den Rhet. Sen. p. 4] assumes in consideration of the confusion of the courses of the grammatical and rhetorical schools mentioned above, that boys entered the rhetorical schools at the early age of ten, and would accordingly fix the birth of Seneca in the year 53 B.C. But even granting that some boys may have come when ten years old under the training of the rhetoricians, it is not likely that one would be sent at that tender age from a distant province to the metropolis for the sake of study. It seems safer therefore not to fix upon any year as the certain date of birth but to leave it undecided between 60 and 53 B.C.[10] It is generally assumed that Seneca visited Rome twice.[11] As regards the date of his

10 cf Clinton - Fasti Hellenici III. p. 261 2nd ed. Clinton adopts 61 B.C. as the date of Seneca's birth.

11 cf Seneca - Praef. Contr. IV. 3 "Audiri autem illum (sc. Asinium Pollionem) et viridem et postea cum senem." This passage quoted by Koerber [cf Ueber den Rhet. Sen. p. 4] Koerber in support of this assumption, does not seem at all decisive

first coming, it would seem from the passage Praef. Contr. I 11 cited in Note 6, that he left Cordova soon after the death of Cicero. This date is also supported by two other passages of the same preface § 18 and § 24, in which Seneca relates that he lived in close friendship with Porcius Latro from early boyhood (a prima puerilia) and that he heard him recite his first controversia while still a youth (admodum iuvenem) in the school of Marullus where he was himself a student.[12] On the other hand the civil wars which prevented him from going to Rome during Cicero's lifetime, did not cease before 27 B.C.[13] How long Seneca remained in Rome on his first visit is not known. We may assume that

12 cf. Koerber – Ueber den Rhet. Sen. p. 5; Gruppe – Quaest. Ann. p. 25 Koerber Gruppe

13 cf. Baumann – De rhet. graec. a Sen. in suas. et contr. adhib. p. 12. Baumann assumes this date for Seneca's first coming to Rome and offers the explanation that the youthful recitation of Latro and the teaching of Marullus occurred in Cordova.

he stood there long enough to complete his rhetorical education.[14] Returning to Cordova he married Helvia who belonged to an old conservative family and who seems personally to have been a woman of no common parts.[15] By this marriage there were three sons: Novatus, who was adopted by the rhetor L. Junius Gallio, Lucius Seneca the philosopher, and Mela the father of the poet Lucan.[16] The latest possible date of Seneca's second coming to Rome is 4 A.D. For Asinius Pollio, of whom he says [cf. Seneca - Praef. Contr. IV. 3] "audivi.... postea iam senem", (on which words, especially postea, Koerber and Gruppe base their theory of a double visit) died 5 A.D. And at least five years later Seneca must have been still at Rome.[17] The date

14 cf. Koerber - Ueber den Rhet. Sen. p. 6; Gruppe - Quaest. Ann. p. 25 Koerber Gruppe
Gruppe assumes that he did not leave Rome before 16 B.C.
15 cf. Seneca phil. Cons. ad Helv. passim especially XIV sq.
16 They are introduced in this order in the prefaces to the Controversiae, except in that to Book IX where Lucius is wanting.
17 cf. Seneca - Contr. I. 3. 10 where he mentions "Varus Quintilius, tunc Germanice gener ut praetextatus"; Gruppe - Quaest. Ann. p. 25 sq. Gruppe

of Seneca's death can be ascertained only approximately. On the one hand it is certain that he was still alive on 34 a. D. For in Cons. II. 22 he speaks of the accusation raised against Scaurus Mamercus by Tuscus, and the extinction of the Scaurus family in the person of this Mamercus. This accusation was made in 32 A. D.[18] and two years after, another accusation induced Mamercus to commit suicide, by which as Seneca says, his family became extinct.[19] On the other hand Seneca did not survive the banishment of his son Novatus,

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18 cf. Tacitus - Annales VI. c.7 "Appius Silanus Sexto Mamercio simul ac Sabino Calvisio maiestatis postulantur." (under Tiberius)

19 cf. Tacitus - ibid. c 29 "Mamercus Aemilius Scaurus iurgiorum postulatur.... ab Servilia et Cornelio accusatoribus adulterum Liviae, magorum sacra obiectabantur. Scaurus ut dignum veteribus Aemiliis, damnationem anteit, hortante Sextia uxore, quae incitamentum mortis et particeps fuit."

which [illegible] in 37 A.D.[20] and accordingly the date of his death is to be set between [illegible] and [illegible] A.D. These limits may be narrowed if Suetonius's account of the death of Tiberius is an extract from Seneca's lost historical work, the existence of which is attested by Seneca the philosopher [cf. fragm. 78]. The passage in Suetonius [cf. Tiber. c. 73] reads: "Seneca cum (sc. Tiberium) scribit, intellecta defectione exemptum annulum quasi alicui traditurum parumper teniusse, dein rursus aptasse digito et compressa sinistra manu

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20 This follows from the passage in Cons. ad Helv. II. 4 sq.: "Excessimus enim ex quo mater trium liberorum eras, extulisti. Lugenti tibi luctus mentitus est omnibus quidem absentibus liberis, quasi de industria in id tempus coniectis malis tuis, ut nihil esset ubi se dolor tuus reclinaret. Transeo tot pericula, tot metus quos sine intervallo in te incursantes perculisti: modo in eundem sinum, ex quo tres nepotes emiserus, ossa trium nepotum recepisti. Intra vicesimum diem, quam filium meum in manibus et in osculis tuis mortuum lineraveras, raptum me audisti: hoc adhuc deerat tibi lugere vivos."

iacuisse diu immobilem, subitoque [illegible] ministris ac nemine respondente consurrexisse nec procul a lectulo deficientibus viribus concidisse." In this case Seneca would at least have surmised Tiberius who died 37 A.D.(21) 21

2. His character.

The character of Seneca is reflected especially in the prefaces to the single books of the Controversiae, in which he writes in an unaffected epistolary style as a father to his children, in a tone which bears the stamp of sincerity and conviction. We recognize a man of the old sterling, almost severe Roman character after the pattern of M. Porcius Cato, of whom he was a great admirer.(1) He passes an 1

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21 cf. on this question Niebuhr - M. Tull. Cic. rat. pro M. Niebuhr Font. et pro Rab. fragm., T. Liv. Lib. XCI fragm. plen. et emend. L. Sen. fragm. ex membr. Bibl. Vat. p. 104; Koerber - Ueber den Rhet. Sen. pp. 8-10; Teuffel - Hist. of Rom. Lit. § 267. 5 Teuffel

1 cf. Seneca - Praef. Contr. I. 7

censure[2] upon the corruption and laxity of the times, to which there are numerous allusions in the Controversiae,[3] and probably goes too far and exaggerates, as is usually the case with the laudator temporis acti. Seneca indeed exhibits some traces of the rigor antiquus.[4] In his earlier years he took part in political life and was not indifferent to political ambitions and honors; but later he regarded political life as beset with dangers compared with [illegible] exposed to the storms of state. [illegible] much of his time in the rhetorical schools, there is

2 cf. Seneca - Praef. Contr. I. 2. 8 sqq. 23

3 cf. ibid. I. 7. 5 ; II. 4. 10 ; IX. 6. 1 ; X. 4. 17 sqq.

4 Thus in Praef. Contr. I. 6 he considers it a weakness (imbecillus animus) in Haterius who had lost six sons, to burst into tears in the midst of a discourse which recalled his loss.

5 cf. Seneca - Praef. Contr. II. 3 sqq.

[illegible]

in them or that he has the slightest claim to the title of rhetor which has been given him. Seneca shows himself again as an old Roman of the Catonian type in his unconcealed antipathy to the Greek rhetoricians and Greek culture in general. In fact he overlooks no opportunity of giving the Greeks a rebuke; compare for instance Praef. Contr. I.6 "insolens Graecia"; Contr. X.4.23 "Graecas sententias in hoc refert, ut possitis [illegible] in Latinam transitus sit et quam omne quod bene dici potest, commune omnibus gentibus sit, deinde ut ingenia ingeniis conferatis et cogitetis Latinam linguam [illegible]": Contr. I. [illegible].12; I.7.12; I.8.7; II.6.12; IX.2.28. Still his sense of [illegible] occasionally compels him to accord [illegible] the Greeks, as in Contr. X.4.18, but even this he usually [illegible] with a "[illegible]" [illegible] the Greeks [illegible] the advantage in a comparison with the Roman rhetoricians, as in Contr. I.4.[illegible] and 12.(6) [illegible]

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(6) [illegible] Rhet. [illegible] pp.1.2 [illegible]
[illegible]

toward the political conditions of his time, it may be said that he was on the whole reconciled to the change from the confusion and unrest of the later period of the Republic to the imperial rule, although the love of liberty, especially so far as it concerned the freedom of the scientific spirit, was still alive in his breast. [illegible] terms a "vir clementissimus,"(7) and praises for allowing to a certain extent freedom of speech.(8) But he is fully aroused to ire by the literary auto-da-fé's of his time.(9) 7

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7 cf. Seneca- Praef. Contr. IV. 5

8 cf. Seneca- Contr. II. 4. 13 "Tanta autem sub divo Augusto libertas fuit, ut praepotenti tunc Agrippae non defuerint qui ignobilitatem exprobrarent". It was by no means an excessive freedom of speech which Augustus left to the proud Romans

9 [illegible] Seneca- Praef. Contr. X. [illegible] the writings of Labienus: "Bono hercules publico ista in poenas ingeniorum versa crudelitas post Ciceronem inventa est;

§ 7 "[illegible] scientia est."

He has however no sympathy for those foolhardy persons who would rather risk their heads than forego some seditious saying.(10)

3. His writings.

The rhetorical writings of Seneca which have survived under the title "Oratorum et rhetorum sententiae, divisiones, colores," consist of one book of Suasoriae and ten books of Controversiae.(1) The first contains seven themes, of which the beginning is incomplete, and Bonnell is perhaps right in thinking that this is not only a small remnant of the original number of the series, possibly not even the whole of the first book.(2) Of the

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10 Cf. Seneca Controv. II. 4. 13 "... sed eorum non possum meminisse, qui tanti putant caput potius quam dictum perdere."

1 That the division of the Controversiae into books originated with Seneca himself, is shown by the fact that each book is introduced by a preface.

2 Cf. Seneca Controv. I. praef. 22 "Videbar audire, si vellem ordinem librorum meorum scire, quem primum, quem secundum, quem postremum legerem, primum liber integer, quo civitas nostra tyrannidem Suasoriarum edictio Veneta inscribitur."

[illegible] books of controversiae, only five, viz. I. II. VII. IX. X, [illegible] the declamations, thirty five in number, in full, although even these exhibit many lacunae.[3] Of the thirty nine Controversiae of the other books, viz. III. IV. V. VI. VIII, there are in existence only the Excerpts.[4] In this loss it is

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3 The ignorance of the copyists played special havoc in transcribing the dicta of the Greek rhetoricians. Cf. Buschmann [illegible] p. 3. Buschmann

4 Cf. Bursian – Preface to his edition of Seneca p. VII sqq concerning the date of origin and the value of the Excerpts: Bursian

"[illegible] aevi homines auctoritate ex eo colligere liceat quod saeculo fere quarto vel quinto p. Chr. n. extitit qui illos ad scholarum, ut mihi videtur, usus in epitomen redegerit, praefationes [illegible] libris [illegible] integras in [illegible] transtulerit, exceptis praefationibus libri quinti, sexti, octavi, et [illegible] omiserit rationem reddere non [illegible]. [illegible] quisquis fuit in negotio suo [illegible] [illegible] [illegible] [illegible]

over

some consolation that the [illegible] prefaces to Sears III and IV have been preserved. In regard to the date of composition of the writings we know that Seneca produced them in extreme old age.(5) For a more precise date the same points come under consideration which were discussed concerning the date of his death, i.e. they must have been written about 80 - [illegible] Schanz(6) would limit this interval to the first years of

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plurima ex arbitrio suo immutavit, haud raro sententias tam arte cum aliis connexas ut sine damno ab illis divelli non possent, nisi exsolutas ita praevit ut legentibus nobis ineptae omnique sensu destitutae videantur....
Quia etiam est ubi sententias a Seneca positas quia non intellexerit prorsus corruperit"; Konitzer - Quaest. in Sen. Konitzer patr. crit. p. 12; H. J. Müller - Preface to his edition of Seneca H. J. Müller p. XXXII

5 cf. Seneca - Praef. Contr. I. 2 "Sed cum multa iam mihi ex meis desiderandae senectus fecerit, oculorum aciem retuderit, aurium sanum inhibuerit, nervorum firmitatem fatigaverit...."

6 cf. Schanz - Gesch. der röm. Litt. II p. 200; Bursian - Preface to his edition of Seneca p. VII Schanz Bursian

Caligula's reign, because, he thinks, during the reign of Tiberius Seneca would not have dared to quote in Suas. VII. 19 from the book of Cremutius Cordus which had been officially burned, in a work which was intended not only for his sons but for the public. Schanz, quotes Praef. Contr. I. 10 "Quaecunque a celeberrimis viris facunde dicta teneo, ne ad quemquam privatim pertineant, populo dedicabo." But this is not at all conclusive. Seneca may have intended his rhetorical writings, which he composed in the first place at the request and for the benefit of his sons, for the general public, yet not have delivered them to the public during his lifetime, but entrusted this matter to his sons, so as not to come into conflict with the tyrannical Tiberius even if he censured him in his book.(7) The

7 That he entrusted some works to his son Seneca the philosopher, for publication, follows from the passage of [illegible] III [illegible]; [illegible]

controversiae ought to be placed before the Suasoriae.

. 8 of Seneca - Contr. II. 4. 8 "Quae dixerit (sc. Latro) suo loco reddam cum ad suasorias venero." This passage confirms the opinion that the Controversiae without exception were edited by Seneca as we would scarcely have possessed to reproduce this long Suasoria of his beloved Latro. In the mss. and most of the editions the Suasoriae are placed before the Controversiae in accordance with the gradation adopted for instruction in the rhetorical schools, where the Suasoriae being easier, came first. cf. Schott in his Preface p. 7: "Etsi non me fugit Controversias prius edidisse M. [illegible] XII pro[illegible]ittit, tamen feci libenter ut has illis ordine anteponerem, cum tradendarum artium Methodo, quae per facil[illegible]iora ad ea quae difficiliora magis, obscura atque ignota sunt, viam sternit, tum priorum editionum exemplo Probianae &c"; cf. Teuffel - Teist's Rom. Lit. § 220. 7; cf. Schiller [illegible] Schiller (cf Preface p. VIII), the last might be considered [illegible] circumstance that the end of the Controversiae and the beginning of the Suasoriae are wanting, that in the older mss. now lost the Suasoriae were placed [illegible] Controversiae. The [illegible] Suasoriae [illegible] Controversiae [illegible] the same reason. But [illegible] Suasoriae [illegible] Controversiae [illegible] Suasoriae [illegible] Controversiae [illegible] Suasoriae [illegible] Controversiae

The principal reason of Seneca's writing historical works was the request of his sons who desired to become [illegible] to [illegible] at the same time the work was intended for the general public [illegible] 10
some of the prominent historians from error or from what is worse, misrepresentation. 11

Besides the Suasoriae and Controversiae Seneca composed an historical work on the period from the beginning of the civil wars down to his own time, and

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9 cf. Seneca- Praef. Contr. I. 1 "Iubetis .... ab illis (sc. declamatoribus) dicta colligere, et quamvis notitiae retrorsus iuventi sint, tamen, non creditis tantum de iis sed et iudicatis."

10 cf. Seneca- l.c. §10

11 cf. Seneca- l.c. § 11 "Ipsis quoque multum praestaturus videor, quibus alterius [illegible] [illegible] [illegible]

[illegible]

been lost. This would follow from what his son says in [illegible]: "Si [illegible] composuit [illegible] edi voluit, iam in manus populi emississem, ad claritatem nominis sui satis sibi ipse prospexerat; nam nisi me decipit pietas, cuius honestas etiam error est, inter eos haberetur, qui ingenio meruerunt ut puris scriptorum titulis nobiles essent. Quisquis legisset eius historias ab initio bellorum civilium, unde primum veritas retro abiit, paene usque ad mortis suae diem, magni aestimaret scire, quibus [illegible] esset [illegible] ille [illegible] res Romanas...." Whether the "[illegible]" [illegible] to works besides the history and whether these works were independent treatises on rhetoric as Koerber [cf. Ueber den Rhet. Sen. p. 22] surmises, is although very likely, not certain. Nor does the passage seem conclusive which is quoted by Quintilian from a controversia of Seneca to support the view that Seneca published declamations of his own. For Koerber's [illegible] [cf. l.c.] to prove that this passage is not from one of the Controversiae i.e. which Seneca merely collected and

[illegible] were afterward lost, are not decisive. The tone and tenor of the passage in question are entirely in keeping with the style of the controversial [illegible] we find in the collection of Seneca[12] and the [illegible] is in a degree parallel to that of Contr. VI. 7

4. Value of his rhetorical writings

The rhetorical writings are the richest and most trustworthy source of our information on the methods and condition of the study of rhetoric, and since rhetoric as has been said above, comprised the whole of what we term a liberal education, we may add of the pursuit of liberal studies and general culture in the ages of

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12 Quintilian – Instit. Orat. IX. 2 42 "Non vero et praecipue declamatores, audacius nec mehercule sine motu quodam imaginantur ut et Seneca ista in controversia cuius summa est, quod pater filium et novercam, inducente altero filio, in adulterio deprehensos occidit: Duc, sequor: accipe hanc senilem manum et quocunque vis imprime. Et paulo post: Aspice, inquit, quod duo non credidisti. Ego vero non video, nox obortur et crassa caligo."

Augustus and Tiberius. It is true they do not convey an adequate picture of the schools of that time; the individual declamation is not presented as it was delivered and discussed in some definite place and at a definite time, but solely with regard to its contents. For since most of the themes were stereotyped and in vogue in various schools, Seneca reproduces what he has heard on each of them in several places and on several occasions.[1] Still we have the personal observations and experiences of a man devoted to the subject in question, who notwithstanding he was in the noise and clamor of the schools, preserved a clear insight and a sober judgment. This he shows amply in the prefaces to the various books of the Controversiae and his personal remarks interspersed throughout the declamations. The prefaces are the

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1 cf. Seneca- Suas. II. 11 "Non quidem in hac suasoria, sed in hac materia disertissima illa fertur sententia Corionis."; l.c. 12 "Occurrit mihi sensus in eiusmodi materia a Severo Cornelio dictus."; Contr. I. 22; IX. 17; X. 4. 14

most readable portions of the work and not only are most important for a knowledge of the life and character of Seneca himself, but also contain the most direct information concerning the state of literary taste and education as well as the life, methods, and manners of the prominent rhetors. The style of the prefaces shows few traces of the influence of Silver Latinity and is not inelegant.[2] Seneca imitated Cicero whom he admired so much, not without success. The style of the prefaces is marked by clearness, precision, purity of expression, and a regular and perspicuous periodic structure. In the declamations the influence of the Silver Latin is predominant. The question arises to whom are the diction and style of these (the Controversiae and Suasoriae) to be attributed? Have we in them a

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2 cf. Schott - De auct. et decl. rat. p. 5 "De cuius scriptoris stylo ita iudicare non dubitem, nihil esse in lingua Latina, cum a Cicerone Fabioque discesseris, scripto purius et elegantius."

3 cf. Seneca - Praef. to Contr. I. 7. 11; Suas. VI. 14 sq.

faithful reproduction or [illegible] and contents of the [illegible] of such rhetoricians [illegible] they are [illegible]: [illegible] Seneca freely gave the thoughts of the rhetors his own form? This latter view is adopted by Teuffel.[4] But the difference between the language of the [illegible] and that of the declamations, and also in the manner of expression of the different rhetoricians, is so marked that it would seem that Seneca endeavored also to reproduce the peculiarities of the style of the individual rhetors. This is the view adopted by Sc. Sander[5] and H.J. Kirsten.[6] They regard the wording of the declamations as an attempt on the part of Seneca to reproduce the varying style of the different speakers, and appeal to the fact that Seneca had no other sources for his work than his

4 cf. Teuffel - Hist. of Rom. Lit. § 269.6 — Teuffel

5 cf. Sander - Quaest. in Sen. rhet. synt. p. [illegible]; Der Sprachgebr. des Rhet. Ann. Sen. I p. 1 sq. — Sander

6 cf. Kirsten - De [illegible] quas. et contr. [illegible] — Kirsten

[illegible] mode of expression. They remind us however that Seneca refers with pride to the prodigious power (7) [illegible]

[illegible] Praef. 8 extr. 12" Haec de memoriae [illegible] sufficerat sed in memoriam rerum [illegible] nam et duo milia [illegible] recitata quae ex tot [illegible] et alia, quae ad ordinem praecepta [illegible] enumerat, singulos versus a singulis dictos, nunc libris quam decem effunctur ab ultimo incipiens usque ad primum recitabam. Nec ad complendum tantum quae vellem valere mihi erat memoria, sed etiam ad continuanda quae scripserat tot hominum genera esse" [illegible] from the tone of complacency of [illegible] of the acquirement of a good memory as something easy, and mentions several cases as Cicero, Hortensius, and the legate of Pyrrhus. For other instances of men endowed with an extraordinary memory cf. Schott-Dr. Lect. it. rat. p. 1; so that there is no necessity for discussing [illegible] description of his own.

[illegible]les as Karsten observes, it is not at all impossible that Seneca assisted his memory by consulting the various collections of declamations in current use, to the existence of which he often refers.(8) Does it not seem altogether probable that Seneca had also notes taken by himself while listening to the declamations? Many of the epigrammatic phrases [illegible] throughout his work are so good that it seems as if they [illegible] in the exact words of the speakers who uttered them. Sander and Karsten remind us that the characteristics of the style of the different rhetoricians as given by Seneca in the prefaces are really verified by the sayings quoted from them afterwards. It is shown that the style of the individual rhetoricians as represented in Seneca's work, differs not only in a general way but also in some definite details.(9)

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8 cf. Seneca - Praef Contr I.11; III.3 15; IV.2; IX.6.[illegible]; X.[illegible] and [illegible]

9 Thus for instance "idcirco" which occurs in the sayings of Latro is never used by Seneca himself, while the other rhetoricians use in its stead "ob hoc, ob id" &c.; cf. Sander - Sander Quaest in Sen. rhet. synt p 5 sq.

Still it seems necessary to assume that the stylistic peculiarities of the individual rhetors are somewhat effaced, as even a most phenomenal memory assisted by notes, would scarcely be able to reproduce in all their details, discourses delivered many years previously.(10) Moreover we must not regard the reports of Seneca as a reproduction in full of the speeches delivered in the schools; much is written in a compressed and abrupt manner, bearing out the theory of notetaking suggested above; some of it seems like portions of a table of contents. All this is not to be overlooked in judging the style of the individual rhetors and may account for many apparently cramped and artificial sentences.(11) In fact Seneca neither intends nor pretends to be an objective narrator of what had been going on in the schools. In the third

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10 cf. Bernhardy-Grund. der röm. Litt. p. 772 "Die Form ziemlich dasselbe subjective Gepräge des Erzählers trägt."; Koerber-Ueber den Rhet. Sen. p. 17 sqq.

11 Seneca sometimes states explicitly that he has omitted certain passages of the discourses and gives a brief hint of the omitted portion. Contr. I. 8. 16 "Hic exempla"; II. 6. 25 "Hic vitiorum exempla"; VII. 6. 18 "Deinde de animo servi." &c.

part of the Controversiae (the colores) and the second part of the Suasoriae (the divisio), he especially indulges in digressions and ex parte remarks of all kinds. Now he addresses his sons, calling their attention to certain circumstances or recalling something said before.[12] Now he ventures his judgment on some saying of a rhetor or discusses some passage from a poet, which is but loosely connected with the scholastic subject in hand. Most of all he delights in reminiscences and anecdotes concerning the rhetoricians and others.[13] Occasionally even a jest is ventured upon.[14] If all this interferes with the objectivity of Seneca's narration and confirms the opinion expressed above that we find in the Controversiae and Suasoriae but an inadequate picture of the life and action of the rhetorical schools, still we may assert that Seneca was a subjective writer with a

12 cf. Seneca - Contr. VII. 1. 27; Suas. I. 16; II. 10

13 cf. Seneca - Contr. II. 2. 12; II. 4. 11; VII. 3. 9; VII. 4. 6; Suas. III. 5 sq.

14 cf. Seneca - Contr. V. 2. 4; X. 5. 28

very powerful memory which enabled him to reproduce the characteristics of the different rhetors, and thus intermingles something of life, fresh and warm, with the cold subtleties and casuistries of the main body of the work.

5. His attitude toward rhetoric and the rhetoricians

Seneca approached the work of recording his reminiscences of life in the schools with much cheerfulness and pleasure[1] and is most enthusiastic about the art and study of rhetoric, which in his opinion is the noblest of all pursuits[2] and the means of entrance to all liberal culture.[3] But he is not a blind devotee to any and every kind of

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1. cf. Seneca - Praef. Contr. I. 1 "Exigitis rem magis iucundam mihi quam facilem.... iucundum mihi redire in antiqua studia maioresque ad annos respicere."

2. cf. Seneca - Praef. Contr. II. 5 "pulcherrima disciplina"

3. cf. Seneca - l. c. 3 "Facilis ab hac (sc. eloquentia) in omnes artes discursus est; instruit etiam quae non sibi exercet."

rhetoric. He complains bitterly of the condition of the art in [illegible] (4) and distinguishes the declamatio from the "solidum scripti genus."(5) In several passages in the prefaces he lays down rules on the art of rhetoric: the student should acquaint himself with several models. [cf. Praef. Contr. I. 6] "Quo plura exempla inspecta sunt, plus in eloquentiam proficitur. Non est unus, [illegible] praecipuus sit, imitandus, quia numquam par fit imitator auctori...." The endeavor to imitate deprives one of firmness of judgment [cf. Praef. Contr. VII 4] "Hoc ille, sc. Albucius, inconstantia iudicii: quam proxime dicentem commode audiebat imitari volebat." Subtlety of thought must be concealed in order to be effective [cf. Praef. Contr. I 21] He condemns severely the use of sordid and obscene expressions [cf. Contr. I. 2 22 sq.; Praef. Contr. III. 7; Praef. Contr. VII 3 sq.] The style should have vigor without straining for elaborate and exaggerated effects.

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4 cf. Seneca - Praef. Contr. I 6 sq.; Praef. Contr. III. 1; Praef. Contr. X. 12
5 cf. Seneca - Contr. I. 8 16; Tues. VI. 16

[cf. Praef. Contr. II. 1; Praef. Contr. IV. 7; Contr. IX. 2. 20] The fullness of expression should not be overloaded [cf. Praef. Contr. II. 1] The discussion should be clear and simple but solid. [cf. Praef. Contr. III. 7] The argumentation should be neither clumsy nor involved. [cf. Praef. Contr. VII. 1] As a sum total of the qualities of a good speaker according to Seneca's view, may be added his characterization of Cassius Severus: [cf. Praef. Contr. III. 7] "Omnia ergo habebat, quae illum, ut breve declameret, instruerent: phrasin non vulgarem nec sordidam, sed electam, genus dicendi non remissum aut languidum, sed ardens et concitatum, non lentas nec vacuas explicationes, sed plus sensuum quam verborum habentes, diligentiam, maximum etiam mediocris ingenii subsidium." Seneca's comments and criticisms, embodying his views and principles in detail, are interspersed among the sayings of the individual rhetors, over some of whom he grows quite enthusiastic, as for instance, Latro; [cf. Praef. Contr. I. 13 sq.] and Cassius Severus [cf. Praef. Contr. III. 1 sq.] Others are pointed out in contradistinction to these worthy exponents of their art, as being

[illegible] are dealt with fairly and no good point is left unnoticed; a felicitous expression receives praise even if it be senseless; a good thought even if it be poorly expressed. It is true that in Seneca's criticisms censure predominates over praise. He does not mince matters; epithets like insanus, stultus, puerilis, ineptus, furiosus, are frequent; there is no lack of biting sarcasm. [cf. Suas. II. 16] "Antonius Atticus inter nos pueriles sententias videtur palmam meruisse"; [Ibid. 21] "Corvo rhetori testimonium stuporis reddendum est."; [cf. Contr. I 7. 15] "Sparsum hoc volere decemisse memini hominem inter scholasticos sanum inter sanos scholasticum." On Seneca's attitude toward the Greek rhetoricians we have already spoken. He was by no means however a petty, morose pedant and scold; he is thoroughly genial and has no idea of putting the letters of rigid rules upon rhetoric.

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6 cf. on this point Buschmann's interesting little essay, Die "enfants terribles" unter den Rhetoren des Seneca. Buschmann

[cf. Praef. Contr. X. 10] "Nec sum ex iudicibus severissimis, qui omnia ad exactam regulam derigam: multa donanda ingeniis puto; sed donanda vitia non portenta sunt" And what some of the rhetors accomplished in absurdity and perversion of truth and good taste, was "portentous" indeed. To hear or read these puerilities was a very different thing from slowly and carefully writing them down, a task to try the patience even of so grave and dignified a man as Seneca shows himself to have been. This same Seneca who yielding to the request of his sons, undertook the task with pleasure and enthusiasm, expresses toward the end utter weariness and disgust: "Fateor vobis," he addresses his sons, "iam res taedio est. Primo adsilui velut optimam vitae meae partem mihi reducturus: deinde iam me pudet tamquam diu non seriam rem agam."(7) 7

If an estimate of Seneca's mental attainments is to be drawn from his extant rhetorical writings, it

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7 cf. Seneca-Praef. Contr. X. 1; Kerber-Ueber den Rhet. Sen. p. 47 sq. — Kerber

may be said that there is nothing in them to show a man of extraordinary capacity. The delicate and acumen of Dionysius Halicarnassus or Quintilian are lacking in him. Still his judgment if not always fine, is sound. This is the more admirable when we consider that he passed a great portion of his time while at Rome in an artificial and narrowing sphere. His style by its clearness and simplicity reminds us of the golden age of Latin literature. His place in Latin literature is that of the standard authority on the spirit and tendency of the art of rhetoric at the beginning of the imperial regime.

II. Mss. and Editions.

A full description of the various mss. and editions is given by H. J. Müller in the Preface to his edition (1887) of the elder Seneca. The leading facts are briefly summarized below.

1. Mss.

The mss. of Seneca's writings divide themselves into two classes, – 1st those of the original work of Seneca as far as it is extant, i.e. the Controversiae Books I. II. VII. IX. X exclusive of the Prefaces to Books I and II, and the seven Suasoriae; 2ond those containing the Excerpts of Books I. II. III. IV. VII. X.

1st Mss. of the Controversiae and Suasoriae.

1. Codex Antverpiensis (A), parchment, 10th century, A
corrected [illegible] 16th. Lacunae in Contr. II. 7; IX. 2; Suas. II. 7.

2. Codex Bruxellensis (B), [illegible], 10th century, corrected in 16th. Lacuna in Contr. X. 5. Written [illegible] B

3. Codex Laticanus, V, parchment, written toward the [illegible] V
end of the 10th century and [illegible] corrected by another hand and again slightly [illegible] in the 15th century.

All three of these codices show by their agreement in many corrections and omissions as well as in the manner of writing the Greek words, that they go back to a common archetype (c), but they were derived from two different copies of it: viz. A and B which are closely akin to one another, from one; and V from the other.

As regards the critical value of A, B, and V, A and B are more faithful to the archetype and [illegible] of greater authority, while V is characterized by many interpolations of a [illegible] and learned emendator. Bursian[1] gives B the preference over A while

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1 c. Bursian's edition – Preface p. XI "Nihil tamen isti scribae ex arbitrio suo mutaverunt ita ut codex quamvis corruptissimus noique tamen vere vestigia nulla interpolatione obscuratae nobis offerat quibus solis insistendum est ei qui auctores verbis et recensendis et emendandis pristinum suum splendorem his libris reddere conatur." Bursian

[illegible] Kreutzer[2] and Kiessling[3] record 2/3

equal merit to both. The corrections of A and B came mostly from editions and have therefore no other critical value than that of conjectures.

4. Codex Toletanus or Covarruvianus (T) parchment, copied from V in the 13th century and corrected probably in the 16th. T

5. Codex Brugensis (Br) parchment, copied from T in the 15th century before it was corrected. Both T and Br are therefore for critical purposes to a great extent superseded by V, from which they are directly or indirectly derived. Br

6. Codex Vaticanus (v) parchment, 15th century, very small characters. v

7. Codex Bruxellensis (D) paper 15th century, with all the Greek omitted a blank space being left for it. Corrected by two hands in the same century. It contains the Declamations of the pseudo-Quintilian the Controversiae and Suasoriae of Seneca, and the beginning of D

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2 cf. Kreutzer [illegible] in Ten. patr. crit. p. [illegible] Kreutzer

3 cf. Kiessling - Beitr. zur Textesk. des Phot. Gen. p. 12 Kiessling

[illegible] attributed to Tacitus.

8. The four codices used by Schott, – Covarruvianus, Brugensis, Vaticanus, and Augustodunensis. Of these the first two were treated under 4 and 5; the Vaticanus can be identified neither with V nor v mentioned above under 3 [illegible]; [illegible] Augustodunensis [illegible] appeared.[illegible])

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4. [illegible] – [illegible] Schott [illegible] considers it very probable that all four go back to one archetype; p. 8 Schott and [illegible] range them in respect to value and importance in the following order. – Covarruvianus, Vaticanus, Brugensis, Augustodunensis. They were all written on parchment and contained the Greek; p. 12 sq. discusses their relations to one another and to the archetype.

2ond Mss. of the Excerpts of the Controversiae.

1. Codex Montepessulanus (M) parchment, 9th or 10th century, corrected shortly, afterwards by a second hand and much later by a third. The Excerpts are preceded by the Declamations of the pseudo-Quintilian. M

2. Codex Parisinus P (formerly Sorbonianus), parchment, 13th century. P

3. Codex Parisinus (S) (formerly Sorbonianus), parchment, 13th century. Closes with the word "actio" in Excerpt VI. 7. S

4. Codex Admontanus, parchment, 12th century.

5. Codex Berolinensis, parchment, 14th century. Contains an "Expositio fratris Nicholai" which is of importance for the text [illegible] in so far that in some cases [illegible] words can be more easily [illegible] from the notes in which they are quoted for explanation than from the text of the scribe.

There are many other mss. of the Excerpts. The Montepessulanus is by far the best of all. Although carelessly written by an ignorant scribe, it is quite free from interpolations, with which the others are teeming. According to Hoffmann the ms. most akin

to [illegible] the [illegible], although the latter is neither derived from nor a copy of the former, the [illegible] from a separate codex which however contained many corrections and erasures.

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5 On the value of the mss. of the Excerpts for restoring the text of the Controversiae, since the Excerpts were prepared from an older and better codex than the archetype of the existing mss. of the Controversiae and Suasoriae, and since they alone contain the prefaces to the first four books of the Controversiae, cf. Spengel-Belehr. Anz. der bay. Akad. der Wiss. XLVII (1858) pp. 1-10; Kiessling-Rh. Mus. XVI (1861) p. 50 sqq.; Kiessling Beitr. zur Textesk. des Rhet. Sen. p. 32 sqq.; Konitzer-Quaest. in Sen. patr. crit. p. 12; Hoffmann-Ueber eine Adm. Verg. Handsch. der Exc. des Ält. Sen. p. 174. Hoffmann gives a full description and estimate of the Admontanus, based on a comparison with the Antverpiensis and Brusellensis on one hand, and the [illegible] on the other [illegible] [illegible] that the [illegible] and [illegible] came from the same source as the Admontanus. p. 176.

2 editions.

The Excerpts are found among the works of Seneca the philosopher, printed at Naples in 1475 reprinted in 1478.

The first edition of the Suasoriae and Controversiae (in this order), preceded by the Excerpts and some of the works of Seneca the philosopher, was printed at Venice in 1490 and again in 1492 and 1503. In this edition the Greek words were omitted.

The Editio Frobeniana was brought out by Erasmus at Basle in 1515. It is like the Venetian edition except that in it the Suasoriae and Controversiae follow the Excerpts.

John Hervagen and Bernard Brand printed an edition at Basle in 1557 in which the Controversiae precede the Suasoriae. The Greek is omitted

The Roman edition of Muretus, printed in 1585, claims "Complures Lucanas quae erant in controversiis, etsi non omnes (quis enim hoc mortalium praestet?) expleuit ex codice multae aetatis et fidei de Bibliotheca Vaticana." The order of the books is the same as

in the Hervagian edition but the Excerpts of Books I. II. VII. IX. and X are omitted.

The editions thus far mentioned attributed the Controversiae and Suasoriae to Seneca the philosopher, and accordingly joined them to his works. The first to edit them separately was,— Nicolaus Faber at Paris in 1587. The Controversiae come first, then the Suasoriae, and then the Excerpts (Declamationes.)

Andreas Schott at Heidelberg in 1603. Of this there were several reprints "cum uberioribus notis et coniecturis Nic. Fabri, Andr. Schotti. J. Gruteri, Fr. Jureti, J. Lipsii, M. Petreii, Fr. Rinciani, J. Opsopoei." As stated above this edition was based on the four codices,— Toletanus (Bonarruvianus), Brugensis, Toxicanus, and Augustodunensis, the preference being given to the first.

J. F. Gronovius at Lyons in 1649. The corrections of Toletanus (τ), which Schott incorporated into his edition, passed into that of Gronovius and thence into the Vulgate or Elzevir edition of 1672. This contai

the valuable prefaces, notes, and ingenious emendations of Tyler, Scott, Greenwich, and especially of Johannes Schulting.

Conrad Bursian. Leipzig 1857, based on the Antverpiensis and Bruxellensis (preference given to the latter.) The Vaticanus was not known to Bursian.

Rudolph Kiessling. Leipzig 1872. Kiessling made use of the critical material accumulated since Bursian's edition.

H. J. Müller. Vienna, Prague, and Leipzig 1887.

Part III

Part III

Subjects of the Suasoriae and Controversiae.

I The [illegible]

From what has been said in Parts I and II in regard to the subjects treated by the suasorial [illegible] it is apparent that the [illegible] as to the sources whence these subjects were drawn, is confronted by a vagueness and confusion in the material with which he has to deal, which make definite statements difficult in most cases and in many impossible. Two facts may be premised with certainty.

First: that at the period of Seneca the Elder a [illegible] of rhetorical material had accumulated "in stock" as it were for the free use of all declaimers. The [illegible] of this accumulation [illegible] of Sulla, when the productions of the rhetoricians [illegible] first taken on a [illegible] with the opening of schools of rhetoric in Latin, [illegible] there [illegible] naturally [illegible] of the topics [illegible]

the teachers of the Greek schools had so long employed their skill. The suasoriae, owing to their simpler nature, [illegible] development earlier than the controversiae. [illegible] we find in Ad Herennium III. 2. 2 as a subject of deliberation, whether Karthago tollenda [illegible] quenda videatur" [cf. Cicero - De inv. I. 8. 11 "si Karthaginem reliquerimus incolumem, num quid sit incommodi ad rem publicam perventurum."; 12. 17 "utrum Karthago diruatur an Karthaginiensibus reddatur an eo colonia deducatur."]; "ut si Hannibal consulat cum ex Italia Karthaginem arcessitur in Italia remaneat an domum redeat an in Aegyptum profectus occupet Alexandriam"; "ut si deliberet senatus, captivos ab hostibus sedimus an non." [cf. Cicero De orat. III 28. 107 "placeatne a Karthaginiensibus captivos nostros redditis suis recuperari?"]; ut si deliberet senatus (Bello Italico) solvatne legibus Scipionem ut eum liceat ante tempus consulem fieri"; "ut si deliberet senatus Bello Italico, socius civitatem det an non"; III. 5. 8 "qui a Poenis circumsessi deliberant,

[illegible] "[illegible] II [illegible]
[illegible] se dedere [illegible] . . . . [illegible]
fame perire"; "sive velint Casilinenses se dedere,
[illegible] atque ita [illegible]
Casilinum venire in Hannibalis potestatem."] All these
subjects may well be placed as parallels to those
of the seven extant suasoriae of Seneca. In Ad
Herennium I.3.5 we find as the subject of a declam-
ation "pro viro forti contra parricidam"; in I.14.24
are found two subjects of controversiae, viz: "ut ille,
qui de eo servo qui dominum occiderat, supplicium
sumpsit, cui frater esset, antequam tabulas testa-
menti aperuit, cum is servus testamento manu-
[illegible]"; "ut [illegible]
[illegible]"; in I.[illegible] [illegible]
found another, viz: "ut Orestes, cum se defendit in
matrem conferens crimen". These three subjects
seem to have been taken (without change) from the
[illegible] [cf. Quintilian - [illegible] VII.4[illegible];
14 [illegible]; [illegible] I.[illegible]; II.[illegible]]. [illegible] other
subjects of controversiae are found in Ad Herennium,

as I. 3 23 on the conflict of four different laws in the case of Malleolus the matricide: viz. "Si furiosus existet, adgnatum gentiliumque in eo pecuniaque eius potestas esto."; "Qui parentem necasse iudicatus erit, ut is obvolutus et obligatus corio devehatur in profluentem." "Paterfamilias uti super familia pecuniaque sua legaverit, ita ius esto." "Si paterfamilias intestatus moritur, familia pecuniaque eius adgnatum gentiliumque esto." [cf. Cicero - De inv. II. 50. 148 where the first, third, and fourth laws stated above are mentioned and the punishment prescribed by the second is said to have been inflicted, the name of the criminal however not being given. The point at issue is the same in both cases, viz. whether the guilty man had or had not the right to make a will. For other later cases of the crossing of laws cf. Seneca - Contr. IX. 3; Quintilian - Decl. [illegible]; Calpurnius Flaccus - Decl. 14; 15.]; Ad Herennium I. 14. 24 "ut Caepio ad tribunos plebis de exercitus amissione" [cf. Cicero - De nat. II. [illegible]. 24 "illam Norbani seditionem ex luctu civium et ex Caepionis odio, ut exercitum amiserat...."] The fourth

Book of Ad Herennium is full of extracts from [illegible], while from Cicero's De inventione a long list might be made out, the subject matter being [illegible] examples of the former cf. Cicero-De inv. I.30.45 "velut [Horatii factum a populo approbatum, quod occidit sororem, cum illa clericum Curiatium hostem deflleret; vel ut] Gracchi patris factum...."; II.26.78 [illegible] examples from Greek history cf Cicero-De inv. I.30.47 "nam si Rhodiis turpe non est portorium locare, ne [illegible]"; II.[illegible] "cum Thebani Lacedaemonios bello superavissent et [illegible] mos esset Graiis, cum inter se bellum gessissent, ut ei, qui vicissent, tropaeum aliquod in finibus statuerent victoriae modo in praesentiam declarandae causa, non ut in perpetuum belli memoria maneret, [illegible] victi [illegible] Graecae [illegible]" [illegible] [illegible]

or some possible connection with the facts of real life. But the development toward the unreal and impossible seems to have gained rapid headway for we find Tiberius propounding to the rhetoricians such questions as "Who was the mother of Hecuba?" "What songs did the Sirens sing?" [cf. Suetonius - Tib. c. 70.] It is probable that this occurred during Tiberius's voluntary exile at Rhodes, as we know that while there he was in the habit of attending the rhetorical schools. At this time which nearly coincides with that of the elder Seneca's second coming to Rome, both the accumulation of subjects for declamation and their development in artificiality and absurdity, seem to have been well-nigh complete.

[illegible] ed in connection with the subjects employed by the declaimers, is that from this vast general fund of fact and fantasy, the rhetoricians appropriated whatever portions suited their purpose, changing [illegible] ultimate [illegible]

accurate reproduction. The subjects of Seneca's Controversiae as also of the Declamationes of the pseudo-Quintilian and Calpurnius Flaccus, by their very nature exclude the possibility of an exact and indubitable tracing to their origin. In their extant form and conception at least, they were born in the exuberant fancy of the rhetoricians, when and by whose agency in each case, it is now impossible to ascertain. A great many of the themes must undoubtedly have come to the Latin rhetorical schools from the Greeks, as is evident from the political and social conditions they presuppose; this will be shown below in individual instances by reference to the rhetorical writings of Hermogenes. As has been said above and as will be proved by a comparison of Seneca's Controversiae with the Declamationes of the pseudo-Quintilian and Calpurnius Flaccus, many of the subjects had become stereotyped as school exercises, passing from one rhetorician to another and from one school to another through the various periods and phases of rhetorical study. When once a stock of subjects had accumulated

[illegible] by slightly varying the old. [illegible] most highly [illegible] in the schools [illegible] the disinheriting of a son.(1) [illegible] father may disinherit a son for [illegible] against his will, for refusing to slay his adulterous mother; for declining to be adopted by a rich man; for killing his adulterous brother &c. &c. The same variety of treatment is possible with many other subjects as a glance at either Seneca or the pseudo-Quintilian will show. The influence of [illegible] also must have been very great in the constant and [illegible] [illegible] already at hand. In tracing the sources of the subjects treated by Seneca as well as of individual dicta in his writings, it is necessary to guard continually against assuming as their fontes passages in earlier classical writers which although strikingly similar, are themselves also derived from a common original.

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(1) In the pseudo-Quintilian there are 22 cases of disinheritance; for Seneca of the classification of subjects below.

Coincidence must not be mistaken for derivation. These fontes are in many cases utterly lost or hopelessly obscured and one might search for them in vain throughout the whole extent of pre-Augustan classical literature. No absolute rule of discrimination can be laid down. The following pages are an effort to classify the subjects treated by the elder Seneca and to give what has been ascertained about the origin of such as may with reasonable certainty be traced to a definite source. The work is largely tentative but will not be without value if it shall interest others to search for additional facts along the same lines.(2) 2

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2 cf [illegible] Ueber die durch die griechischen und lateinischen Rhetoren angewendete Methode der Auswahl und Benutzung von Beispielen römisch-rechtlichen Inhalts. Abh. der königl. Akad. der Wiss. Berlin 1847, I pp. 48-79

[illegible]

[illegible] the ocean.

The theme and the discussion in the Dursis in [illegible] a [illegible], [illegible] suggested by the speech of the philosopher Anaxarchus, in which he proposed after the [illegible] of Asia by Alexander, that the latter should be deified and receive divine homage in the manner of the Persian kings. Callisthenes as a defender of Greek manliness protested against this fulsome adulation but met with a tragic end.[1] In Contr. VII. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of course recalls the first oration against Catiline. The subject of this suasoria seems moreover to have been one of the stock topics of the schools, as

1 cf Curtius VIII. 1. 45; V. 13; Arrian IV. 7. 4; Plutarch-Alex. c. 50 sqq.

[illegible]

[illegible]

ever based on an historical fact. [cf Curtius IX. 7 "Pervicax cupido incessit (sc. Alexandrum) visendi Oceanum adeundique terminos mundi."]

Suasoria II

The three hundred Lacedaemonians sent against Xerxes, when the three hundred sent from all Greece have [illegible], deliberate whether they themselves shall flee.

The historical kernel of this second suasoria is the assembly of the several Greek contingents at Thermopylae and their subsequent dismissal by Leonidas, king of the Spartans. [cf Herodotus VIII. [illegible]] On the question of "trecenti" vs. "treceni" Bursian remarks; "[illegible] suasoriam [illegible] II. [illegible] "trecentis" sermo fiat.... rhetor [illegible] [illegible] Graecis [illegible] [illegible]

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2 cf [illegible] III. [illegible] VII. [illegible]

"Et moestum simul ante aras adstare parentem
Sensit et hunc propter ferrum celare ministros,
[illegible]
Muta metu terram genibus submissa petebat."

Quaestio IV

Alexander the Great deliberates whether he shall enter Babylon when by the response of the augur he [illegible]

cf. Arrian VII. 16.5 "Ἀλέξανδρος δὲ ὡς τὸν Τίγρητα ποταμὸν ξὺν τῇ στρατιᾷ διέβη ἐλαύνων ἐπὶ Βαβυλῶνος, ἐνταῦθα ἐγτυγχάνουσιν αὐτῷ Χαλδαίων οἱ λόγιοι καὶ ἀπαγαγόντες ἀπὸ τῶν ἑταίρων ἐδέοντο ἐπισχεῖν τὴν ἐπὶ Βαβυλῶνος ἔλασιν. λόγιον γὰρ γεγονέναι σφίσιν ἐκ τοῦ θεοῦ τοῦ Βήλου μὴ πρὸς ἀγαθοῦ οἱ εἶναι τὴν πάροδον τὴν ἐς Βαβυλῶνα ἐν τῷ τότε τὸν δὲ ἀποκρίνασθαι αὐτοῖς λόγος [τοῦ] Εὐριπίδη ὧδε: 'Μάντις δ' ἄριστος ὅστις εἰκάζει καλῶς.' 'σὺ δέ, ὦ βασιλεῦ,' ἔφασαν οἱ Χαλδαῖοι, 'μὴ πρὸς δυσμὰς ἀφορῶν αὐτὸς μηδὲ [illegible] ἐκπεριελθὼν πρὸς ἕω μᾶλλον.'"; [illegible]

Suasoria V

The Athenians deliberate whether they shall remove their Persian trophies, since Xerxes is about to return unless they do so.

The only element of reality in the subject of this suasoria, is the reference to the custom of preserving trophies taken from defeated foes.

Suasoria VI

Cicero deliberates whether he shall implore mercy from Antony.

The fictitious argument of this suasoria was suggested by the enmity between Cicero and Antonius, which led to the violent death of the former. However this theme and that of the next suasoria, seem to have belonged to the stock subjects of the rhetorical schools [cf. Quintilian - Institut. orat. III. 8. 46]

It may be said that the legal careers of Cicero's life and its tragic end were favorite topics with

Suasoria VII

writings, since Antony promised him security if he should do so.

On the theme of the seventh and last suasoria compare what was said above in regard to the sixth.

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3 cf. Morawski – De rhet. lat. p. 16 sqq. Morawski

Controversia I.3

Incesta saxo deiciatur.

A priestess accused of incest, [illegible] hurled from the rock, invoked Vesta. She remained alive and was demanded again for a repitition of the penalty.

This is a fictitious law of the schools for by Roman [illegible] priestess [illegible] penalty [illegible] of Sappho's precipitating herself from a rock on account of misfortune in love, and the fact that traitors in the early time at Rome were thrown down from the Tarpeian Rock. In 273 B.C. a Vestal was hanged of Eranius IV. 5.7.

Controversia I.4

Fortis sine manibus.

[illegible] man who had lost both hands in war caught his wife and her paramour in flagrante and ordered his son to kill them. The young man refused and the adulterer escaped; [illegible]

1. [illegible] Contr. III.19; VII.4 [illegible]

[illegible] disinherited.

This theme is very similar to that of Quintilian-Decl. 330. It was very likely suggested per contrarium by the story of Orestes. cf. Quintilian-Instit. orat. III. 11. 4 [illegible]

Controversia I. 5

Raptor duarum.

A man raped two maidens in the same night; one demanded his death, the other, marriage.

This seems to have been a favorite subject with both the Roman and Greek rhetoricians, and was in all probability transferred from the latter to the Roman schools. It is introduced by Hermogenes in his "περὶ τῶν στάσεων," [cf. ed. Spengel- Rhet. Graec. II. p. 171], and is the theme in a more developed form with a sequel, of Calpurnius Flaccus-Decl. 49.

Controversia I. 6

Archiparatae filia.

A man captured by pirates wrote to his father

in regard to a ransom but was not ransomed. The daughter of the pirate chief compelled the captive to swear that he would marry her if he were freed. He did so and thereupon the daughter left her father and followed the youth. He returned to his father and married her. His father afterward commanded him to divorce the pirate's daughter and marry a certain orphan. When he refused his father disinherited him.

For the introduction of the orphan reference may be made to the Attic law quoted in Terence-Pharm. I. 125, which compelled orphans to marry their next of kin and also made it obligatory on the latter to receive them as wives. A somewhat similar subject is found in Quintilian Decl. 576.

Controversia II. 5

Torta a tyranno pro marito.

A wife was tortured by a tyrant in order to obtain from her information as to the ~~[illegible]~~ [illegible] of her husband. She could not be forced to tell. Afterward

the husband killed the tyrant and divorced his wife on the charge of barrenness, as she had borne him no children in a period of five years. She sued him for ingratitude.

This law (ingrati actio) like so many made use of in the declamations, was an Attic one. cf. Valerius Maximus II. [illegible] de Areopago; V. 3 de [illegible]. A similar case of iniusti repudii is treated in Quintilian Decl. 251 only that in this latter case the wife was raped and demanded marriage instead of the death of the ravisher. The subject of wife and tyrant is also introduced by Hermogenes "περὶ τῶν στάσεων [cf. ed. Spengel - Rhet. Graec. II p. 187] in the following form: A wife showed her husband the way to a tyrant, a secret which no one else had been able to discover. The husband killed the tyrant and then accused his wife of adultery with him.

Controversia IV. 2

Sacerdos [illegible] sit.—

The pontifex L. Caecilius Metellus lost his [illegible]

[illegible] the Palladium from the burning temple of Vesta. Thereupon the priesthood was denied [illegible]

This theme is taken from history; the occurrence took place B.C. 241. cf. Livy- Epit. XIX.

Controversia IV. 5

Privignus medicus.

A man disinherited his son. The latter studied medicine and when his father fell ill and was given up by the other physicians, restored him to health. He was thereupon restored to his father's favor. His step-mother having fallen ill was also despaired of by the physicians. The father asked the son to cure her and upon his refusal, disinherited him.

This theme seems to be evidently from the Greek as it is used by Lucian in the "ἀποκηρυττόμενος. cf. Quintilian- Instit. orat. VII. 2. 17.

Controversia V. 5 The well known story of Parrhasius and the captive.

Controversia V. 6

Raptus in veste muliebri. Lex- Impudicus cutione prohibeatur

A fair youth made a wager that he would walk in public dressed in female attire. He did so and was [illegible] on a charge of adultery and [illegible]. Having [illegible] the public [illegible], the young man brought action against him on a charge of assault.

This theme was not founded on a fictitious law of the schools but on the Attic code. Of Aeschines against [illegible] Hermogenes [illegible] "περὶ στάσεως" ed. Spengel- Rhet. Graec. II p. 146] uses as an example the case of a youth who used cosmetics and was thereupon charged with hybris.

Controversia V. 7

Fractis [illegible] non recepti. Qui vota portis aperire in bello non licuit.

Three hundred captives fleeing from the enemy came to the gates at night. The commander would not open to them and they were killed before the gates. After a victory the commander was charged with injuring

[illegible]

This theme must have been current in the Greek schools also, as it is given by Hermogenes "περὶ εὑρέσεως" β' [cf. ed. Spengel- Rhet. Graec. II p. 196]

Controversia VI. 5

Iphicrates reus. Lex- Quidam in medio secreti capite puniatur.

Iphicrates having been twice defeated in battle by the king of the Thracians, concluded a treaty with him and married his daughter. When he returned to Athens and pleaded his cause, certain Thracians were seen about the court, armed with knives, and Iphicrates himself although a defendant, drew his sword. When the judges were called upon to give their opinion they openly pronounced for an acquittal. Iphicrates was thereupon accused of having used violence in court.

This theme appears to be taken from history but with the facts a good deal modified. Xenophon [cf. Hellen. IV. 8. 34 sq.] states that Iphicrates carried

[illegible] against the Thracians. cf. Aeschines - περὶ παραπρεσβείας 27-29; Diodorus Siculus XVI. 21; Plutarch - Apoph. 187 B; Cornelius Nepos - Iphicrates 2, "Bellum cum Thracibus gessit; Seuthem socium Atheniensium in regnum restituit."; Aristotle - Rhet. II. 23. χ "... ᾧ ἐχρήσατο Ἰφικράτης πρὸς Ἀριστοφῶντα ἐπερόμενος εἰ προδοίη ἂν τὰς ναῦς ἐπὶ χρήμασιν· οὐ φάσκοντος δὲ, εἶτα εἶπεν, σὺ μὲν ὢν Ἀριστοφῶν οὐκ ἂν προδοίης, ἐγὼ δ' ὢν Ἰφικράτης." The same topic is treated in Quintilian - Decl. 286. cf. Quintilian - Instit. orat. V. 12. 10

Controversia VI. 7

Damnus qui filio cessit uxorem.

A man having two sons married a second wife. When one of the young men was ill nigh unto death, the physicians said the cause of his illness was a [illegible] affair. When the father compelled the son of the sworn [illegible] to tell him the truth, the young man confessed that he loved his stepmother. The father gave up his wife to him and thereupon was charged with insanity by his other son.

It seems evident that this theme is taken from the history of Seleucus who gave up his wife Stratonice to his sick son Antiochus. cf. Plutarch. Demetrius c. 38; Valerius Maximus - V. 7. Ext. 1. A similar case is treated in Quintilian - Decl. 291 and Calpurnius Flaccus - Decl. 46, except that in this latter case it is a brother who at the request of his father yields his wife to his sick brother and is afterward caught in adultery with his former wife.

Controversia VII. 2

Popilius Cicerones interfector.

Compare on this theme the remarks made on Suasoriae VI and VII. cf. Livy - Epit. CXX

Controversia VII. 6

Demens qui servo filiam iunxit.

A tyrant permitted the slaves to outrage their mistresses. The chief man of the state fled and wrong them one who had a son and a daughter. While all the other slaves outraged their mistresses, his slave

saved the daughter from this fate. After the tyrant was killed and the chiefs had returned, the slaves were crucified. But the faithful slave was set free by his master who also gave him his daughter as a wife. Thereupon the son charged his father with insanity.

This theme was taken from the history of the Volsinii, the inhabitants of a city in Etruria, who becoming enervated by excessive luxury were overpowered by their slaves and freedmen. The tyrant is an addition made to the story by the rhetoricians of Valerius Maximus IX. 1. Ext. 2; Orosius IV. 5 3; Aurelius Victor-De viris illustribus c. XXXVI

Controversia VIII. 6

Pater naufragus divitis socer.

A rich man three times importuned a poor man to give him his daughter in marriage and the poor man three times refused, but having started with his daughter on a voyage he was shipwrecked on the estate of the rich man who again asks for the daughter

as his wife. The poor man wept in silence. After the marriage they return to the city where the poor man wishes to lead his daughter before the magistrate, but the rich man opposes this.

Thus there may easily have been [illegible] the analogy of Plautus' Casina. Act III. scene 2 [illegible] poor but proud Lesbonicus refuses to give his sister to Lysiteles without a marriage portion.

1 . . . 2. 3 [illegible] [illegible] [illegible]

II

I Simple (whether something is or is not to be done) I. VI

Duplex (a choice between two alternatives.) II. III. IV. V. VII

II According to the sources.

1. Historical IV

2. Suggested by an historical occurrence I. II

3. Derived from the facts III

4. Fictitious V. VI. VII

B The Controversiae.

I General character of the suit.

I: 3. 5

II: 7

III: 5. 9

IV: 1. 4. 6

1. Criminal. V: 1. 6. 7

VI: 3. 4. 5. 6. 8

VII: 3. 5. 7. 8

VIII: 1. 6

IX: 2. 4. 5. 6

X: 1. 4. 5. 6

I: 2.4.6.7.9

II: 1.2

III: 1.2.3.4.6.8

IV: 6.7.8

2. [illegible]

V: 2.4.5

VI: 1.2

VII: 1.4

VIII: 2.3

X: 2

I: 2

II: 3.4.5.9

III: 7

IV: 2.7

3. Affecting the political & social status

V: 3.8

VI: 7

VII: 2.6

VIII: 4.5

IX: 1.3

X: 3

II According to the point at issue (i.e. the question to be decided, or the charge brought.

1. Admission of a tyrant to office V: 8
2. Adultery IV: 7 VI: 6
3. Claims of the blinded III: 1
4. Damage to property III: 6 V: 5
5. Deception (circumscriptio) VI: 3
6. Desecration of a tomb IV: 4
7. Disinvestance (abdicatio) I: 1.4.6.8 II: 1.2 III: 2.4 IV: 5.3 V: 2.4 VI: 1.2 VII: 1 VIII: 3.5 X: 2
8. Force unlawfully applied (vis) IX. 5
9. Force in court (vis in iudicio) VI: 5 IX: 3
10. Force and intimidation (vis et metus) IV: 8
11. Ingratitude (ingrati actio) II: 5 IX: 1
12. Injury to the person (iniuria) IV: 1 V: 6 X: 1.6
13. Insanity. II: 3.4 VI: 7 VII: 6 X. 3
14. Laesae maiestatis IX: 2
15. Laesae reipublicae V: 7 X: 4.5
16. Maleficium VI: 1
17. Maltreatment (malae tractionis actio) III: 7 IV: [illegible] V: 3

1. Misbehavior (de moribus)	VII:2
19. Parricide	III:2 V:4 VII:3.5 IX:4
20. Poisoning	III:7 VI:4.6 VII:3 IX:6
21. Priestly [illegible]	I:[illegible] IV:2 VI:[illegible]
22. Punishment of rape	I:5 III:5 VII:8
23. Reward of bravery	IV:7
24. Sacrilege	VIII:1.2
25. Seditious meeting (coetus et concursus)	III:8
26. Slaves, punishment of	III:9 VIII:3 (cf. VII:6)
27. Suicide, refusal of burial to	VIII:4
28. Support of parents	I:1.7 VII:4
29. Treason	VII:7 (cf. X:6)

III [illegible]

1. Adultery, rape, and incest. I: 2.3.4.5 II: 3.7 III: 5.8
IV: 3.4.6 V: 6 VI: 8 VII: 8
VIII: [illegible] IX: 1.6

2. Exposed children IX: 3 X: 4

3. Mistresses II: 4 IX: 2

4. Pirates I: 6.7 III: 3 VII: 1.4

5. Poor and rich II: 1 V: 2.5 VIII: [illegible] X: 1

6. Stepmother and stepchildren II: 7 IV: 5.6 IX: 5.6

7. Suicide V: 1 VIII: 3.4

8. Tyrants and tyrannicide II: 5 III: 6 IV: 7 V: 8 IX: 4

9. Valiant^ness (fortis) I: 4.8 IV: 4 VIII: 5 X: 2

Numbers of the subjects of the Controversiae of Seneca and the Declamationes [illegible] Sulpurnius Flaccus.

I Subjects identical.

Seneca	Quintilian	Sulpurnius Flaccus	
II. 3	349		cf. Quintilian. Instit. orat. IX. 2. 90
II. 4		30	
III. 5		33	
III. 9	380		
IV. 4	369		
VI. 5	386		
VI. 6	354	39	cf. Hermogenes - περὶ τῶν στάσεων [illegible] II [illegible]
VII. 3	17		
VII. 8	309		
VIII. 1		41	
IX. 6	381	12	

Seneca II. 3 Quintilian 347

he appeases his own father and the father of the ravished.

A ravisher appeased the father of the ravished but

[cf. Quintilian - Institt. orat. IX. 2. 70]

Seneca II. 4 Calpurnius Flaccus 30

A man disinherited his son; the latter betook himself to a courtesan and begot a son by her. Being ill he sent for his father: when he had come he commended his son to him and died. After his death his father ; he is charged with by his other son.

[ ]

Seneca III.5 Calpurnius Flaccus 33

A ravished woman may require either the death of the ravisher or that he shall marry her without dowry. [cf. Seneca I.5; VII.8; ~~VIII.6~~]

A ravisher demands that the ravished one be produced (so that she may make her choice.) The father does not permit

[In Calpurnius Flaccus the father forcibly restrains the woman]

Seneca III.9 Quintilian 380

A master being ill asked his slave to give him poison; the latter refused. The master provided by his will that the slave should be crucified by the heirs. The slave appeals to the tribunes.

[Quintilian adds that the master had promised the slave his liberty.]

Seneca IV [illegible] Quintilian [illegible]

Action for desecration of a tomb

During a war in a certain state a valiant man who had lost his arms in battle took the arms from the tomb of another valiant man. After fighting bravely he restored the arms. He received the reward (of bravery) but was accused of desecration of a tomb.

[In Quintilian the substance of the theme is given in a shorter form.]

Seneca VI. 5 Quintilian 386

He who uses violence in court should suffer capital punishment.

Sphinxites having been sent against the king of the Thracians and conquered twice in battle, concluded a treaty with him and married his daughter. When he had returned to Athens and was brought before a court some Thracians were seen about armed with knives and

the defendant himself drawn sword when the [illegible] were called upon to pronounce judgment they openly acquitted him he is accused of using violence in court. [Quintilian limits himself to the brief statement that Iphicrates came into court girded with a sword and brought with him [illegible] of the [illegible].]

Lesson VI. Quintilian 354 Calpurnius Flaccus 37

Action for poisoning.

A man who had a wife and by her a marriageable daughter informed his wife to whom he intended to give the daughter in marriage. The wife said: "She shall die sooner than marry that man." The daughter died before the wedding day with dubious signs of cruel treatment and poisoning. The father put a maid servant to the torture: she said that she knew nothing about poison but she did know about the adultery of her mistress with that man to whom he was intending to give his daughter in marriage. The father accuses his

wife of poisoning and adultery.

[In Quintilian the episode of the torture and confession of the maid servant is wanting; suspicion against the wife arises from her saying: "She shall die before she marries" and from the fact that the husband had seen her secretly conversing with the [illegible] young man to whom he betroths his daughter.]

[cf. Hermogenes - περὶ τῶν στάσεων ed. Spengel II p. 143]

Seneca VII. 3 Quintilian 17

A son who had been three times disinherited and forgiven was surprised by his father in a retired part of the house preparing a potion. When asked what it was he said it was poison and that he wished to die; he poured it out. He is accused of parricide.

[In Quintilian the dramatic touch is added that the father ordered the son to drink the mixture.

Seneca VII.8 · Quintilian 307

A ravished woman may require either the death of the ravisher or that he shall marry her without dowry. [cf. Seneca—I.5; III.5; VIII.6]

A woman who had been ravished when produced (in court) chose marriage. The young man who was defendant denied that he was the ravisher He was convicted and the woman then chose his death although he was then willing to marry her. The man protests. [In Quintilian it is stated that she wished freedom of choice after the conviction.]

Seneca VIII.1 Calpurnius Flaccus 41

A magistrate may inflict punishment upon one who has confessed.

A woman who had lost her husband and two sons hanged herself. Her third son cut the rope. The other [illegible] [illegible] [illegible] [illegible] [illegible] the perpetrator was

being sought for, told the magistrate that she was the guilty party. The magistrate wishes to inflict punishment on her on the ground of her confession. The son [illegible].

[In Calpurnius Flaccus she has lost her husband and three sons out of four.]

Seneca IX.6 Quintilian 381 Calpurnius Flaccus 12

A poisoner may be tortured until she discloses her accomplices.

A man after the death of his wife by whom he had a son, married another wife and by her had a daughter. The young man died and the husband accused the step mother of [illegible]. Having been condemned she said under torture that her daughter was [illegible] accomplice. The daughter is demanded for punishment. The father defends her.

[In Quintilian this theme is given briefly with the addition that the son died "ambiguis signis". Calpurnius Flaccus uses the same phrase.]

II [illegible]

Seneca I. 4 Quintilian 330

He who surprises an adulterer with an adulteress and kills them both shall be without guilt.

It shall be permissible even for a son to punish adultery in his mother

A valiant man who had lost his hands in war surprised an adulterer with his wife by whom he had a son now a young man. He ordered his son to kill but he did not. The adulterer escaped and he disinherited his son. [From the context it would seem that the father's command to the son was to kill both the guilty parties.]

[In Quintilian the filial piety of the son towards his mother at the expense of his injured father, is in a different form. A man repudiated his wife on a charge of adultery; his son by her came to him and told him that he was in love with a courtesan. His father gave him money and with it he supported his mother who was in want, [illegible] father. [illegible] but he disinherited his son.

A [illegible] may require either the death of the ravisher or that he shall marry her without dowry.
[cf. Seneca III.5 ; VII.8 ; VIII.6]

A man ravished two women the same night; one required his death, the other marriage.

[In Quintilian the act was perpetrated on one of two sisters. The victim herself but the father produced the other in court and instructed her to require the death of the ravisher. The young man supposing that this was the woman whom he had violated was overjoyed. When the deceit was found out the father was accused of murder.

In Calpurnius Flaccus the case is the same as in Seneca but the point at issue is different. The court decided for the more humane demand; after the marriage the other woman bore a child (by the ravisher.) The latter exposed it but the husband of this other woman took it up and began to rear it; whereupon he is accused by his wife of [illegible] machinations.

Declam. I.6 . Quintilian 376

A man captured by pirates wrote to his father in regard to a ransom but was not ransomed. The daughter of the pirate-chief compelled the man to swear that he would marry her if he were set free: he swore to do so. He left her father and followed the young man. Later returning to her father he married her and left him. Appears upon the scene when the young man's father commands him to marry after dismissing the daughter of the pirate-chief. Upon his refusal he is disinherited.

[In Quintilian it is the daughter of a benefactor who is in the case. A man when dying offers to reveal to a young man whom he has brought up as his own son. His true parentage if he will take an oath that he will marry the daughter whom the dying man is leaving. The young man agrees to be so treated by the real father after the death of his benefactor, upon his refusal to marry is disinherited.]

Declamation I

Let children care for their parents or suffer punishment.
A man killed one brother who was a tyrant and another whom he had caught in adultery, although his father entreated him not to do so. Being captured by pirates he wrote to his father in regard to a ransom. The father [illegible] to the pirates offering them a double sum if they would cut off his son's hands. The pirates released the son who afterward when his father was in want did not support him.

[In Quintilian the same point is at issue but the circumstances are different. A man had two sons one respectable, the other dissipated. Both went abroad and were captured by pirates whereupon the profligate became ill. Both wrote home in regard to a ransom. The father [illegible]. The pirates told him that he had brought only enough to redeem one and that he might choose whichever he wished. He ransomed the one who was ill, who died while [illegible]]

Seneca II.2 Quintilian 357

A husband and wife took a mutual oath that [illegible] the other would not survive the husband went abroad and sent a messenger to inform his wife that he was dead. [illegible] from a height but survived. She is commanded by her father to leave her husband and on her refusal is disinherited.

[In Quintilian it is a wife who complains about her husband to her father and is commanded by the latter to keep the peace. But afterward when her husband had been blinded on account of adultery and she refused to desert him, she is disinherited.]

Seneca II.5 Quintilian 251

A wife who was tortured by a tyrant to force her to [illegible] her husband for the murder of the tyrant, [illegible]

[illegible]. Afterward her husband killed the tyrant. As she bore no children for five years her husband divorced her under the pretext of barrenness. An action is brought for ingratitude.

[In Quintilian it is a case of iniusti repudii, the [illegible] having taken place after a rape, when the woman had her choice between the death of the ravisher and marriage, which marriage the husband now tries to dissolve on the [illegible] of barrenness.]

Seneca II.7 Quintilian 325 and 363

A man who had a beautiful wife went abroad. A merchant from foreign parts settled in the neighborhood and three times made proposals to the woman offering her gifts. She however refused. The merchant died and by his will made the beautiful woman heir of all his property, adding the eulogy: "I found her chaste". She entered upon the inheritance. Her husband returned and accused her of adultery on suspicion.

[In Quintilian 325 a rich man and a poor man are neighbors. There was a rumor that the poor man's pretty wife was unduly intimate with the rich man, with the connivance of her husband. The latter was accused of procuring (lenocinii) but acquitted. The rich man died leaving the poor man heir to all his property, adding: "I ask you to restore this legacy to that person of whom I made a request." The poor man's wife demands the legacy as "fidei commissam".

In Quintilian 363 the poor man with the beautiful wife solicited three times with the offer of gifts by the foreign merchant, that he may let him have his wife for an immoral purpose. The husband sends a wardrobe-maid in the garb of a matron. An action is brought for mala tractatio.

Seneca VI.7 Quintilian 291 Calpurnius Flaccus 46

There may be an action for insanity.
[illegible] the sons married again [illegible]

[illegible] fell ill and was at the point of death the physicians declared that the trouble was a mental one. The father forced the son at the swords point to disclose the cause. He said that he was in love with his stepmother. The father gave up his wife to him and was thereupon charged by his other son with unduty.

[In Quintilian and Calpurnius Flaccus it is one of the sons who at the instance of his father, gives up his wife to his [illegible] brother. The latter afterward finds his wife in adultery with her former husband and kills them. For this he is disinherited by his father. In Calpurnius Flaccus it is distinctly stated that the second husband kills both; in Quintilian only the woman is mentioned as being killed.]

Phasca VII. Quintilian 177

A son who had been three times disinherited and forgiven was surprised by his father in a retired part

it was he said it was poison and that he wished to die; she poured it out. He is accused of parricide.
(Identical with Quintilian 17)
[In Quintilian 377 the son is driven to this desperate deed because his father was about to send him for the third time to military service.]

Seneca VII. 4 Quintilian 6 and 16

Let children care for their parents or suffer punishment. A man who had a wife and a son by her went abroad. Being captured by pirates he wrote to his wife and son in regard to a ransom. The wife lost her eyesight through weeping. She demanded support of her son as he was setting out to ransom his father. When he refuses to ransom his mother, [illegible] in force.
[In Quintilian 6 the son set out to free his father by becoming captive in his place (vicariis manibus). He died

[illegible]

the son was cast upon the shore of his native land. The father wishes to give it burial, the mother forbids. In Quintilian 16 the case concerns two friends of whom one has a mother, who while travelling abroad [illegible] the hands of a tyrant. The mother [illegible] weeping. The tyrant offered to allow the son to go and see his mother on condition that if he did not return by a [illegible] day, the other young man should suffer punishment. The son having bound himself by oath to return came to his own country. His mother [illegible] him from returning by the lawn-kish [illegible] children to desert their parents in distress.]

[illegible] VII. 5 [illegible] 1 and 2.

A man after the death of his wife, by whom he had a son, married again and had a son by this marriage also. [illegible] in the house a handsome steward. [illegible] there were frequent quarrels between the step-mother

to move. He hired the dwelling next door. Rumor charged the steward and the stepmother with adultery. Finally the father of the family was found murdered in his bed-chamber, the wife wounded, and the partition wall between the houses of the father and the son broken through. The stepmother summoned to ask the five-year old son who slept with his father and mother, whom he recognized as the murderer. He pointed at the steward. The son accused the steward of murder, the steward the son of parricide.

[In Quintilian I there is no steward in the case; the dramatis personae are a father, his second wife, and a blind son by his first wife. The father is found murdered in bed beside his wife, with the son's sword sticking in the wound. On the wall separating the father's room from that of the son are the bloody marks of a hand. Father and stepmother accuse each other.

In Quintilian 2 there are also a blind son and a stepmother but the relations are more complicated. The son had formerly accused his father of a [illegible]

[illegible] had lost his eyesight [illegible] to [illegible]

[illegible] mother. A time came when the stepmother asserted to the father that his son had prepared poison for him and had offered her half of the property if she would administer the poison. The son being questioned denied this but when his father searched he found the poison about his person. When asked for whom he had prepared it, the son was silent. The father altered his will, making the stepmother his heir. In the same night a noise was heard in the house [illegible] household entered the chamber of their master they found him murdered and the stepmother apparently asleep beside the corpse, while the blind son was standing at the door of his chamber, his bloody sword being under his pillow. Stepson and stepmother [illegible] other.

Seneca VIII. 3 Calpurnius Flaccus 47

The father of two sons gave a wife to one. The latter [illegible] and [illegible] began to allege [illegible] relations

[illegible] husband returned he suspected his wife's maid to the torture so severely that she died under it, whereupon in his uncertainty as to what he wished [illegible]

[illegible]

[illegible]

[

the poor man refused. Having started on a voyage [illegible] his daughter the poor man was shipwrecked upon the estate of the rich man who again approached him in regard to marriage with his daughter. The poor man wept but kept silent. Nevertheless the rich man consummated the nuptials. Upon their return to the city the poor man wishes to bring his daughter before the court, that she may demand the death of the rich man [illegible] father.

[In Quintilian a man who had a son and a rich enemy was captured by pirates. He wrote to his son urging him to ransom. The son had no money but when the rich man offered him his daughter in marriage, he accepted her and thus obtained means to ransom his father. The latter on his return commands his son to put away his wife and upon his refusal disinherits him.]

Seneca IX.4 Quintilian 362

[illegible]

A tyrant who held captive a father and his two sons, commanded the young men to strike their father. One of them threw himself headlong to death, the other obeyed and was afterward received into the tyrant's favor. The young man killed the tyrant and received a reward. A demand is made that his hands be cut off. His father defends him.

[In Quintilian the crime is much aggravated by the fact that there is no compulsion, two youths taking an oath each to strike the other's father; on the other hand there is no actual striking of one's own father. A demand is made that their hands be cut off; their fathers defend them.]

[illegible] IX 5 [illegible] 34

Let there be an action on a charge of force unlawfully applied. A man having a wife lost two sons by a former wife with [illegible]. The third son was abducted by his maternal grandfather who had not been admitted to see the others

[illegible] his son by

means of a public crier the grandfather acknowledged

that the son was with him and was charged with

force unlawfully applied.

[illegible] son, after repeated attempts without success to obtain a reconciliation with her husband, uttered a threat that she would avenge herself. She husband gave the boy a stepmother and the boy child with suspicious signs of cruel treatment and poisoning. Both women accuse each other.

The circumstances in the two declamations are much the same but the judicial point at issue is in one case vis in the other homicide. Also Seneca VI. 6; Quintilian 354; Calpurnius Flaccus 39.

[illegible]

Let a valiant man choose what reward he will; if there be more than one claimant let the matter be settled by a judicial decision.

father asks the son to give up to him the reward of bravery. The son refuses; the matter is carried to court and the son wins. Thereupon he asks as a reward [illegible] ... [illegible] ... [illegible] ...

Bibliography

Bernhardy - Grundriss der römischen Litteratur

Brunswick 1865

Blass - Die griechische Beredsamkeit in dem Zeitalter von Alexander bis auf Augustus

Berlin 1865

Blass - Geschichte der attischen Beredsamkeit

Leipzig 1857

Bursian - Edition of Seneca

Leipzig 1857

Boucheval - Histoire de l'éloquence romaine depuis la mort de Cicéron jusqu'à l'avènement de l'empereur Hadrien.

1873

Clinton - Fasti Hellenici

1851

Freeman - History of Federal Government

1863

Friedländer - Darstellungen der Sittengeschichte Roms

Hulsebos - De educatione et institutione apud Romanos

1875

Jebb - The Attic Orators

1876

Mayor - Edition of Juvenal

1880

Mommsen - Römische Geschichte

Monceaux - Les Africains, étude sur la littérature Latine d'Afrique.

1894

Müller H. J. - Edition of Seneca

Vienna, Prague, and Leipzig 1887

Niebuhr - M. Tullii Ciceronis orationum pro M. Fonteio et pro Rabirio fragmenta, T. Livii Lib. XCI fragmentum plenius et emendatius L. Senecae [illegible]

Rome 1820

Rohde - Der griechische Roman

1876

[illegible]

Schott - Edition of Seneca

1627

Simcox - A History of Latin Literature from Ennius to Boethius.

1883

Susemihl - Geschichte der griechischen Litteratur in der Alexandrinerzeit.

Leipzig 1872

Teuffel - History of Roman Literature

1891

Thiele - Hermagoras. Ein Beitrag zur Geschichte der Rhetorik

Strasburg 1893

Westermann - Geschichte der Beredsamkeit in Griechenland und Rom.

Leipzig 1833

Periodicals

Dirksen- Abhandlungen der königlichen Akademie der Wissenschaften. Berlin 1847. I pp. 48-79 1847

Sprengel- [illegible] der [illegible] Akademie der Wissenschaften. Munich 1858 vol. XLVII pp. 1-30. 1858

Kiessling- Rheinisches Museum 1861 vol. XVI pp. 50-61 1861

Sprengel- Rheinisches-Museum 1863 vol. XVIII pp. 481-526 1863

[illegible] Zeitschrift für [illegible] 1881 vol. XLIV pp. 1-12 1881

Rohde- Rheinisches Museum 1886 vol. XLI pp. 170-190 1886

Excerpta.

Bonnell – De mutata sub primis Caesaribus eloquentiae Romanae conclicione, imprimis de Rhetorum scholis, commentatio historica. Berlin. 1836

Spengel – Ueber das Studium der Rhetorik bei den Alten. Munich 1842

[illegible] – [illegible] quattuor [illegible]. [illegible] Bratislaviensem epistula. Görlitz 1858

Körber – Ueber den Rhetor Seneca und die römische Rhetorik seiner Zeit. Marburg 1864

[illegible] – [illegible] 1864

Kiessling – Beiträge zur Textkritik des Rhetor Seneca. Breslau 1866

Hoffmann – Ueber eine [illegible] der Excerpte des älteren Seneca. Posen 1867

[illegible] – [illegible] rum adhibitis. Reginonti 1871

Sander – Quaestiones in Senecam rhetorem syntacticae. Greifswald 1872

Gruppe – Quaestiones Annaeanae Selini 1873

[illegible] – Der Sprachgebrauch des Rhetors [illegible]
no. I. Berlin 1877

Buschmann – Charakteristik der griechischen Rhetorik.
[illegible] 1878

Leo – De Senecae tragoediis observationes criticae. Berlin 1878

Karsten – De elocutione rhetorica qualis invenitur in
Annaei Senecae suasoriis et controversiis.
Rotterdam 1881

Buschmann – Die "enfants terribles" unter den Rhetoren
des Seneca. 1883

Baumm – De rhetoribus graecis a Seneca in suasoriis
et controversiis adhibitis. Kreutsburg 1885

Morawski – De rhetoribus latinis. Cracow 1892

[illegible] – Beiträge zu den 19 grösseren Quintilianischen
Declamationen. München 1893

Marx – Chauvinismus und Schulreform in Alterthum.
[illegible] 1894

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